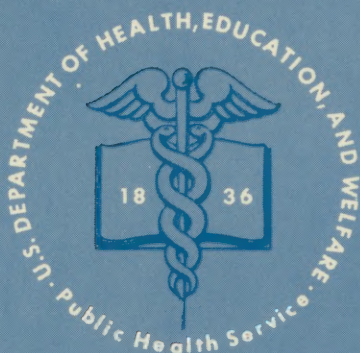




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# SANITARY CODE STATE OF LOUISIANA

Prepared and Promulgated  
by the

**Louisiana State Board  
of Health**

In accordance with  
Act 79 of 1921, as amended

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1943



Louisiana. Laws, statutes, etc.  
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## Louisiana State Board of Health

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Act 79 of 1921, as amended

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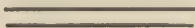
## CONSTITUTIONAL AUTHORITY

### Article VI, Section 11, Constitution of 1921

The Legislature shall create for the State and for each parish and municipality therein Boards of Health, and shall define their duties and prescribe their powers. The Parish and Municipal Boards of Health shall be subordinate to the State Board of Health. The State Board of Health shall be composed of a president who shall be designated as State Health Officer and eight members, one from each Congressional District as at present constituted; five of which members shall be duly qualified and registered physicians; and the three others shall have such qualifications as shall be prescribed by the Legislature. The Governor shall, by and with the advice and consent of the Senate, appoint the president and members of the State Board of Health.

### Article VI, Section 12, Constitution of 1921

The Legislature shall provide for the interest of State Medicine in all its departments; for the protection of the people from unqualified practitioners of medicine, dentistry, veterinary medicine and pharmacy; for protecting confidential communications made to practitioners of medicine and dentistry and druggists by their patients and clients while under professional treatment and for the purpose of such treatment; for the protection of the people against the sale, barter, gift and use of injurious or adulterated drugs, foods, and drinks and against any and all misbranding and adulteration of the general necessities of life of whatever kind or character.



*"Salus populi suprema est lex."*

*Cicero, "De Legibus."*

## STATUTORY AUTHORITY

ACT No. 79 of 1921  
as amended by  
ACT 296 of 1926,  
ACT 126 of 1928,  
and  
ACT 252 of 1936.

To carry into effect Section 11 of Article 6 of the Constitution of Louisiana, in relation to Boards of Health and State medicine; to provide for the establishment and organization of a State Board of Health and Parish and Municipal Boards of Health; to define the duties, powers and authority of said Boards; to provide for the selection of officers and employees thereof and for the fixing of salaries of the said officers and employees of said Boards; to authorize the State Board of Health to prepare and promulgate a sanitary code for the State of Louisiana and fixing penalties for the violation of said code; to provide for a general sanitation of the Parishes and Municipalities; to authorize the control and isolation of cases of certain communicable diseases and quarantines against places and persons infected with such diseases; to repeal all laws and parts of laws, special and general, in conflict with the provisions of this Act, and to provide for the transfer to the Boards created and organized under this Act of all powers, authority, rights, claims, funds and property of the present Boards of Health.

## STATE BOARD OF HEALTH

**Section 1.** Be it enacted by the Legislature of Louisiana, That a State Board of Health for the State of Louisiana is hereby created and established, to be composed of a president and eight members, one from each congressional district as at present constituted. The said Board shall be officially designated and known as the Louisiana State Board of Health, and its domicile is hereby fixed in the City of New Orleans. (Act 79 of 1921)

## FEES and MEMBERSHIP

**Section 2.** That all fees, taxes, licenses or other funds and revenues collected by or for the account or support of the said State Board of Health or to be used in any of its work or heretofore paid to said board for any and all purposes, shall be paid by the party, concern, officer, board or commission collecting the same into the Treasury of the State of Louisiana under the control of the Treasurer of the State of Louisiana and such funds and revenues shall hereafter be appropriated by the Legislature of Louisiana according to law.



Five members of the State Board of Health shall be duly qualified and registered physicians; one member shall be a duly qualified and registered Doctor of Dentistry with at least ten years practical experience in his profession; one member shall be an Educator, connected with the Public School System of the State and shall have been engaged in educational work for at least ten years preceding his or her appointment; one member shall be a registered druggist of ten years practical experience. The Governor shall, by and with the advice and consent of the Senate, appoint the President and members of the said State Board of Health. The term of the office of the President and members of the Louisiana State Board of Health shall be four years, excepting in the case of the members of the first Board to be appointed under this Act. For the members of the first said Board the terms of the first two to be appointed shall expire July 29, 1929; the terms of the next three to be appointed shall expire July 29, 1930; the terms of the next three to be appointed shall expire July 29, 1931. The President of the State Board of Health shall be appointed by the Governor, by and with the advice and consent of the Senate, whose term of office shall begin August 15th, 1928, and shall expire August 15, 1932. In appointing the five duly qualified and registered physicians, it is recommended by this legislation that the Governor so appointing shall, if same be possible, according to Congressional District requirement as provided by the Constitution, appoint one of the said five members from the faculty of the School of Pharmacy or School of Dentistry of the University of Loyola of Louisiana, and one of the said members from the faculty of the Medical Department of Tulane University of Louisiana. (Act 126 of 1928, §3)

#### QUORUM, MEETINGS AND COMPENSATION

**Section 3.** At any meeting of the Louisiana State Board of Health, five members shall constitute a quorum to transact business. The Board shall meet every three months or at the call of the President as hereinafter provided.

All members of said Board shall receive fifteen dollars (\$15.00) per day for each day or fraction thereof they may be actually present at, or in attendance upon, any meeting of said Board; members of the said Board shall, in addition to the fifteen dollars (\$15.00) per day for attendance as hereinbefore provided, receive fifteen dollars (\$15.00) for each day, or fraction thereof, consumed in going to and coming from the said Board meetings, not to exceed two days for the round trip, and also seven cents (0.07) per mile mileage for every mile actually traveled in going to or coming from said meetings by the most direct route of transportation from the places of their respective residences to and from the place of meetings of said Board. Any member of said Board, while on duty in his official capacity other than at a Board meeting, shall receive the same per diem and mileage as is provided herein for attendance upon meetings of said Board. The per diem and mileage of all members shall be paid out of the

funds of the Board by the Secretary and Treasurer of the Board, on the voucher of the member, approved by the President of the Board. (Act 196 of 1926, §3)

## **EXECUTIVE OFFICER**

**Section 4.** The President shall be the executive officer of the Board with the title of State Health Officer, and he shall have the power to issue all orders and warrants as provided in this Act and shall take all necessary steps to execute the sanitary laws of the State, and to carry out the rules, ordinances and regulations of the Board made thereunder; and he may in his discretion call special meetings of the Board whenever in his opinion an emergency shall require it; provided, that in all cases where three or more members shall make such request in writing, it shall be his duty to convene said Board in special meetings.

In addition to the powers and duties heretofore prescribed by existing laws, and not abrogated by this Act, the president shall have the power after adjournment of the Board, and during the interval of the time between the meetings of the Board, and when the Board is not in session, to issue orders and warrants and to take all necessary steps to execute the sanitary laws of the State and to carry out the rules, ordinances and regulations made thereunder.

The power to issue warrants is hereby granted to the President of the Louisiana State Board of Health to be used solely and only to the end of arresting and preventing epidemics and abating any imminent menace to the public health.

The salary of the President of the Louisiana State Board of Health shall be Six Thousand Dollars per annum, the said salary to be paid monthly out of the funds of said Board.

The Board shall elect one of its members as Vice-President, who shall act as President in the absence or inability of the President, to serve in such capacity; and the Vice-President shall receive as compensation the same per diem and mileage as provided for members of the Board when attending meetings. (Act 296 of 1926, §4)

## **SECRETARY AND TREASURER**

**Section 5.** At its first meeting after the promulgation hereof the Louisiana State Board of Health shall elect a suitable person, who shall be other than a member of this Board of Health, to be Secretary and Treasurer, who shall receive a salary of Three Thousand Dollars per annum, to be paid monthly out of the funds of the Board. He shall serve for four years from the date of his election; his successors shall similarly be elected for a term of four years by the Board, to be paid monthly out of the funds of the Board.

The Secretary and Treasurer of the Louisiana State Board of Health shall be removable for cause at the pleasure of the Board. He shall give bond to the State of Louisiana for the faithful performance of his duty, and in such sum and with such surety thereon as shall be fixed and approved by the Board. The duties and powers of said Secretary-Treasurer shall be those incident to like officers in similar corporations, and also such other powers and duties as are prescribed by the provisions of this Act. '(Act 296 of 1926, §5)

## POWERS, AUTHORITY AND JURISDICTION

**Section 6.** The State Board of Health shall have the powers, authority and jurisdiction now possessed by the existing Louisiana State Board of Health under laws now in force, excepting in so far as modified and changed by the provisions of this Act.

Said Board shall have exclusive jurisdiction, control and authority over maritime quarantine and water supplies and waste disposal, within the State, as now provided by existing laws of the State or as may be hereafter provided. Said Board shall have supervisory power over land quarantine, and over the care and control of communicable disease within the State, in order to accomplish the subsidence and suppression thereof and to prevent the spread of same.

Said Board shall prepare, or cause to be prepared, a Sanitary Code for the State of Louisiana, which Code shall contain and provide rules, regulations and ordinances of a general as well as a specific nature, for the improvement and amelioration of the hygienic and sanitary conditions of the State. On the adoption of said Code by the Board it shall be promulgated in the manner provided for the promulgation of the laws of the State of Louisiana and it shall be printed and published at the expense of the State Board of Health in pamphlet form in such number of copies as may be necessary for distribution for information of health bodies, health and sanitary officers and the public generally. Said code shall cover and provide especially for land and maritime quarantine regulations; the supervision of water supplies, slaughter houses and cold-storage plants and of the disposal of waste; the reporting, care and management of cases of communicable diseases; it shall regulate the manner of keeping and reporting and tabulating vital and mortuary statistics in addition to that already provided for; it shall provide for affording facilities for vaccination; it shall regulate the carriage and transportation of persons, freight and dead bodies brought into the State or transported through or in the State, insofar as the same may affect public health; it shall provide for the carrying out of the laws of the State in regard to the adulteration or misbranding of articles intended for human food or consumption; it shall provide for the inspection of meats, milk, coal oil and other articles affecting public safety, and said Code shall contain general rules in regard to such public health



and sanitary and hygienic subjects, as cannot in the opinion of the Louisiana State Board of Health, be sufficiently regulated by the local Boards. (Act 79 of 1921, §6)

## **VIOLATIONS OF CODE**

**Section 7.** Any violation of any provision, article or regulation of said Code shall constitute a misdemeanor and upon conviction in a Court of competent jurisdiction the offender shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) or be imprisoned for not more than twenty days, or both, in the discretion of the Court for the first offense; and for the second offense he shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or be imprisoned for not less than twenty days nor for more than sixty days, or suffer both fine and imprisonment in the discretion of the Court; and for the third offense he shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or be imprisoned for not less than sixty days nor for more than six months, or suffer both fine and imprisonment in the discretion of the Court. (Act 79 of 1921, §7)

## **APPOINTMENT OF INSPECTORS, ETC.**

**Section 8.** The President of the Louisiana State Board of Health, designated as State Health Officer, may appoint inspectors and other necessary officers and employees only on recommendation and approval of the Board, and said Board shall fix the salaries of such appointees. (Act 79 of 1921, §8)

## **POWERS OF INSPECTORS, ETC.**

**Section 9.** All inspectors, officers and employees of the said Board shall have power to arrest, without warrant, all persons violating the provisions of any rule or regulation of the said Board, or any article or provision of the Sanitary Code, when such violation has occurred within the sight, view or personal knowledge of said inspector, officer, or employee; and in all cases where said violation may not have occurred within the sight, view or personal knowledge of said inspector, officer or employee, said functionary shall have only the right to arrest in execution of a warrant duly issued in accordance with the provisions of this Act, or by a competent judicial authority. It is hereby made the duty of all sheriffs and their deputies, constables and their deputies, police officers of towns, villages and cities, and all other peace officers, to aid and assist in the arrest and apprehension of all persons violating the articles of the Sanitary Code or any rule or regulation of the State Board of Health; and it shall be the duty of said sheriffs, constables, deputies and police to themselves arrest and apprehend all offenders committing such offense in their view or sight, or within their personal knowledge.

The President and Members of the State Board of Health and every person duly authorized by said Board, may, without fear or hindrance,



enter, examine and inspect all grounds, erections, structures, public buildings and places in execution of a warrant issued in accordance with the Constitution and laws of the State of Louisiana. (Act 79 of 1921, §9)

### **PROVISION FOR EMERGENCIES**

**Section 10.** The said Board shall at all times keep in readiness one or more medical inspectors and nurses, medicines, clothing, bedding, appliances, tents and other paraphernalia so as to repair to any place in the State that applies to it, when deemed necessary by said Board or upon the outbreak of communicable disease with the view of stamping out the same. An annual appropriation of Five Thousand Dollars (\$5,000.00), or as much thereof as may be necessary, shall be made by the said Board to maintain this First Help. The local authorities shall keep up the work at their own expense after it has been started, provided their funds will so permit. (Act 79 of 1921, §10)

### **PARISH BOARDS OF HEALTH, THEIR POWERS AND DUTIES, ETC.**

**Section 11.** Each and every Parish in the State shall establish and organize Parish Boards of Health in the manner following:— The Police Jury of each Parish shall immediately after the promulgation of this Act and hereafter not later than the third regular meeting of the New Police Jury term, elect and appoint a Parish Board of Health to consist of five members. Said Board shall be composed where practicable of three duly licensed and registered physicians, one of whom shall be elected by the Board as Chairman of said Board; and one person engaged in educational work in connection with the Public School system of the Parish; and one other person elected without limitation as to his or her profession or vocation. Said persons when so appointed or elected shall constitute the Parish Board of Health and shall serve for four years from the date of their qualifications; provided that the term of no Parish Board of Health shall continue longer than that of the Police Jury or other Parish governing authority by which it was appointed.

Said Parish Board of Health shall meet on the first Tuesday after the commissioning of its members.

It shall by and with the advice and consent of the State Board of Health appoint a Health Officer, who shall be a registered and licensed physician skilled in sanitary science, who shall serve in said capacity, exercise the powers and perform the duties usual and incident to such office.

Said Health Officer shall have the power, and it shall be his duty to issue all orders and warrants as provided herein, and to take all necessary steps to execute the sanitary laws of the State under the State Health Officer, and to carry out the rules, regulations and ordinances of the State and Parish Board of Health made thereunder. The domicile of the parish board of health shall be at the parish seat; provided, however, that the said parish health officer may reside at any place within the parish in which he is appointed.

Provided that any Police Jury shall have the authority to contract with the State Board of Health and other agencies for the establishment and maintenance of a Parish Health Unit which shall consist of at least a full-time Medical Director having the same qualifications as prescribed for a Parish Health Officer, and to appropriate and disburse funds for the support of said Unit in accordance with the terms of a budget having the approval of both the Parish and State Boards of Health.

The appointment of a Parish Health Officer shall be by mutual agreement between the Parish Board of Health and the State Board of Health, and his official actions shall be governed by the Parish Board of Health, with the advice and approval of the State Board of Health.

The power to issue warrants is hereby granted to the President of the Louisiana State Board of Health to be used solely and only to the end of arresting and preventing epidemics and abating an imminent menace to the public health.

The Parish Health Officer shall appoint the necessary assistants to serve under him. Assistants so appointed may be removed from duty at any time by direction of the appointing officer, and in no instance shall the term of service exceed that of the officer by whom they were appointed. In the absence of a Parish Health Officer, the temporary appointment of employees below the grade of Parish Health Officer shall be made by the Parish Board of Health. The salary of the Parish Health Officer and his assistants, and the necessary expenses for the conduct of their official duties, shall be determined by the Parish Board of Health and shall be paid by the Parish Police Jury, provided that where there is a full-time health unit receiving financial co-operation from the State Board of Health, the salaries and expenses shall be agreed upon by the Parish Board of Health and State Board of Health, and may be paid in part by funds from the State Board of Health and other agencies.

The Secretary of the Police Jury of the respective Parishes shall be ex-officio secretary of the Parish Board of Health. The Treasurer of the Police Jury of the respective Parishes shall be ex-officio Treasurer of the Parish Board of Health.

In the event of the failure, refusal or neglect of the Police Jury of any Parish to elect or appoint a Parish Board of Health within sixty days after the going into effect of this Act, or, hereafter, should any Police Jury fail, refuse or neglect to appoint, or elect a Parish Board of Health within thirty days after the second regular meeting of the new Police Jury term, such Parish Board of Health as herein provided for shall be appointed by the State Health Officer, subject to the approval of the Louisiana State Board of Health, and when so appointed shall possess all authority and power as though appointed and elected by the Police Jury.

The said Parish Health Officer and members of the Parish Board of Health and every person duly authorized by said Board may, without fear

or hindrance, enter, examine and inspect all grounds, erections, structures, public buildings and places in execution of a warrant issued in accordance with the Constitution and Laws of the State of Louisiana.

The Parish Health Officer shall be subject to removal from office after 30 days' official notice, by the Parish Board of Health with the consent of the State Board of Health or by the State Board of Health with the consent of the Parish Board of Health. (Act 252 of 1936, §11)

## **HEALTH DISTRICTS**

**Section 12.** The Boards of Health of two or more Parishes may, with the advice and consent of the State Board of Health and of the Police Juries of said parishes, organize a health district to be composed of the respective Parishes. In lieu of one Health Officer in each of the said Parishes, the Boards of Health may jointly elect and employ a health officer whose jurisdiction, powers and duties in said health district shall be the same as the jurisdiction, powers and duties of the Parish Health Officer as prescribed in this Act. The Parishes composing such Health District shall jointly pay the salary of the said District Health Officer. (Act 79 of 1921, §12)

## **MUNICIPAL BOARDS OF HEALTH**

**Section 13.** The Council or Legislative Body of each and every municipality in the State shall establish and organize a municipal Board of Health in the manner following:

The said Council or Legislative Body, on the expiration of the term of office for which existing municipal Boards of Health have been elected or appointed, or where no such Boards have been elected or appointed, shall, immediately after the going into effect of this Act, elect or appoint five persons to be members of the municipal Board of Health, three of whom, where practicable, shall be duly registered and licensed physicians, one person a member of the municipal government and one person without limitation as to his or her vocation, occupation or profession. Said persons when so appointed or elected shall constitute the Municipal Board of Health and shall serve for a term co-equal to that of the governing body which appointed or elected them.

In the event of failure, refusal or neglect of the Council or Legislative Body of any Incorporated Municipal Government to elect or appoint a Municipal Board of Health within sixty days after the going into effect of this Act, or, hereafter, should the Council or the Legislative Board of any municipality fail, refuse or neglect to appoint or elect a Municipal Board of Health within thirty days after the third regular meeting after such Council or Legislative Body is inducted into office, such Municipal Board of Health shall be appointed by the State Health Officer subject to the approval of the Louisiana State Board of Health and, when so appointed, shall possess all the authority and power as though appointed and elected by the Council or Legislative Body.



Said Municipal Boards of Health shall meet on the first Tuesday after the commissioning of their members and by and with the consent of the State Board of Health appoint a Health Officer for the municipality who may or may not be a member of said Board, but who shall be a licensed and duly registered physician skilled in sanitary science, and who shall serve in said capacity, exercise the powers and perform the duties usual and incident to said office. The Municipal Health Officer and Members of the Municipal Board of Health and every person duly authorized by said Board may, without fear or hindrance, enter, examine and inspect all grounds, erections, structures, public buildings and places in the execution of a warrant issued in accordance with the Constitution and laws of the State of Louisiana.

The Municipal Health Officer shall receive such annual salary as the Board of Health of said municipality may fix, subject to the approval of the Council or Legislative Body of said municipality.

The power to issue warrants is hereby granted to the Municipal Health Officer to be used solely and only to the end of arresting and preventing epidemics and abating the imminent menace to the public health.

The said Municipal Boards of Health shall have the power to appoint the necessary assistants to the Health Officer, and sanitary inspectors, and to prescribe the duties and fix the salaries thereof.

No member of said Board of Health, whether Parish or Municipal, with the exception of the Health Officer (if he be a member of said board), shall receive any pay or emoluments in any way for services rendered as a member of the Board. (Act 296 of 1926, §13)

## **MAINTENANCE BY POLICE JURY**

**Section 14.** The Police Jury of each Parish and the Council or Legislative Body of each municipality shall provide ample means for the maintenance and operation of said Boards of Health and for the promotion and conservation of the public health.

Nothing herein shall be construed to prohibit Parish or District Health Officers from acting as Chairman of local Boards of Health within their parish or district. (Act 79 of 1921, §14)

## **POWER AND AUTHORITY OF MUNICIPAL AND PARISH BOARDS OF HEALTH**

**Section 15.** Said Parish and Municipal Boards of Health shall have power and authority to pass strictly local health and sanitary ordinances, for defining and abating nuisances dangerous to public health; to regulate drainage and ventilation with reference to human habitation and places of business and public resort; to regulate the carrying on of trade and business injurious to public health; for the disposition of fecal matter and garbage and waste; to regulate the erection of buildings with due



regard to the filling of lots and the grading thereof, and the arrangement of buildings, for the vacation and demolition of buildings when necessary for the protection of public health; and generally to pass and enforce all health and sanitary ordinances necessary and incident to the proper local sanitation of the parish or municipality in which they exercise their powers; provided said rules, ordinances and regulations do not conflict with the rules and regulations of the sanitary code or of the Louisiana State Board of Health.

All said Boards shall act under the supervision and advice of the State Board of Health, and shall pass no ordinance in conflict or inconsistent with the powers and duties of the State Board of Health, but shall, in all health and sanitary measures which they may adopt, be auxiliary to and act in harmony with the State Board of Health, and shall make such reports monthly to said State Board of Health and furnish such other information as the State Board of Health may require, the information therein to be tabulated and embodied in the biennial report of the State Board.

The object and purpose of this Act is hereby declared to be to entrust full power and authority to such local Boards to establish, control and administer all matters of strictly and purely local sanitation, not affecting other portions of the State, provided that no person shall be subjected to any medical examination of any nature or kind or be confined in any institution unless ordered by the judge of the parish or municipality in which such person is arrested, excepting such person is infected or suspected of being infected with smallpox, Asiatic cholera, yellow fever, leprosy or bubonic plague.

No local Board of Health in the State shall have power to establish quarantines except with the approval of the State Health Officer previously obtained and co-operation of the councils of municipalities and the police juries. The State Board of Health shall have supervisory power over all local quarantines so established.

All necessary expenses, costs and charges of local sanitation shall be borne by the district, parish or municipality in which the local Board shall be established, and in case the authorities thereof shall refuse to budget or appropriate or pay for the same, the local Boards, or the State Health Officer, shall have the right to the writ of mandamus before a Court of competent jurisdiction to compel the proper action by said district, parish or municipal authority. (Act 79 of 1921)

## ISOLATION OF COMMUNICABLE DISEASES

**Section 16.** In the event that any case of a communicable disease shall be reported to, or come to the knowledge of, any local Board or Health Officer, the local Board or Health Officer shall immediately isolate the same and communicate the fact by the most expeditious means at hand to the Louisiana State Board of Health, together with the information as to what

steps have been taken to isolate and care for the same; and said Board of Health or Health Officer shall, from time to time, communicate the progress of the case and disease to the Louisiana State Board of Health. On receipt of such information by the said Louisiana State Board of Health, the State Health Officer shall, if he deem the emergency sufficient and necessary, send an expert physician, to be selected by him, to examine and diagnose the disease; and if, on such examination and diagnosis, the expert shall declare the case to be one of obnoxious or communicable nature, liable to spread, or to become dangerous to the general public health of the State, the Louisiana State Board of Health, or State Health Officer, shall instruct the Health Officer of the Board of Health of the parish or municipality as to what additional steps, if any, shall be taken to isolate the case and prevent the spread of the infection therefrom, and shall require that the local Health Officer shall immediately conform thereto, and put the same in operation. In the event that said local authorities shall fail or neglect to so act immediately or shall fail to act in a manner satisfactory to the Louisiana State Board of Health or State Health Officer, the Louisiana State Board of Health or State Health Officer shall take charge of the case and manage same, through its own officers or employees. All expenses, costs and charges incurred in the management, control and supervision in such cases shall be borne and paid by the parish or municipality in which the case may be, and on the failure of the parish or municipality to reimburse the State Board the amount of its expenditures incurred in such cases, the State Board of Health shall have the right to proceed by writ of mandamus in any Court of competent jurisdiction to compel the payment of the same.

In case that any parish or municipality or any portion thereof shall become infected with any disease, to such an extent as to threaten the spread of such disease to the other portions of the State, the Louisiana State Board of Health shall issue its proclamation declaring the facts and ordering such infected parish or municipality or such infected portion of any parish or municipality in quarantine; and shall order all local Boards of Health to quarantine against said locality; and shall establish and promulgate the rules and regulations, terms and conditions on which intercourse with said infected locality shall be permitted; and shall issue to the other local sanitary authorities instructions as to the measures adopted in quarantining against persons, goods, or other property coming from said infected localities, and these rules and regulations, terms and conditions shall be observed and obeyed by all other health authorities; provided, that should any other of the non-infected portions of the State desire to add to the regulations and rules, terms and conditions already imposed by the State Board, they may do so, on approval of the Louisiana State Board of Health. The State Board of Health may in its discretion prohibit the introduction into any infected portion of the State of persons acclimated, unacclimated or said to be immune, when in its judgment the introduction of such persons would add to or increase the prevalence

of the disease. The State Board of Health shall render to the local Boards of Health all the assistance in its power and which the condition of its finances will permit. (Act 79 of 1921)

#### **CONFLICT OF LAWS, ETC.**

**Section 17.** All laws or parts of laws in conflict with, inconsistent with, or superseded by the provisions of this Act, are hereby repealed, but all laws, or parts of laws, parish or municipal ordinances, State Board of Health ordinances, State or parish and municipal rules and regulations now existing and not in conflict with, or not inconsistent with or not superseded by the provisions of this Act are continued in full effect; and this Act shall not be construed or interpreted so as to deprive the Louisiana State Board of Health, or the local, parish or municipal Boards of Health of any powers or authorities they may have under existing laws, except insofar as these powers and authorities may be modified or changed by the provisions of this Act, and then only to the extent of the modification or change. (Act 79 of 1921)

#### **EFFECTIVE DATE OF THIS ACT**

**Section 18.** This Act shall go into effect and be operative as provided by law. The presently existing State Board and local Boards of Health shall turn over to the new Boards all the assets, property, records or other things and matters now in their charge and keeping, and thereafter the new Boards shall be considered as successors in office to the old Boards, and all rights, actions, claims or things of value vested in or possessed by the old Boards shall become vested in the new Boards, with full right and power to hold, prosecute and defend the same as though no change had been made in said Board. (Act 79 of 1921)

Approved: By the Lieutenant-Governor and Acting Governor,  
November 18, 1921

A true copy:

James J. Bailey,  
Secretary of State





# ENTIRE CHAPTER REVISED

# SANITARY CODE

## CHAPTER I

### THE CONTROL OF DISEASES

#### 1.01 DEFINITIONS

1.011 The following definitions shall apply in connection with the regulations contained in this chapter of the Sanitary Code.

1.012 CARRIER. A person who, without symptoms of a communicable disease, harbors and disseminates the specific micro-organisms.

1.0121 As distinct from a carrier, the term "infected person" is used to mean a person in whose tissues the etiological agent of a communicable disease is lodged and produces symptoms.

1.013 CLEANING. This term signifies the removal by scrubbing and washing (as with hot water, soap or washing soda) of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

1.014. CONTACT. A "contact" is any person or animal known to have been sufficiently near an infected person or animal to have been presumably exposed to transfer of infectious material directly, or by articles freshly soiled with such material.

1.015. DELOUSING. By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of body lice or head lice survive.

1.016. DISINFECTION. By this is meant the destroying of the vitality of pathogenic micro-organisms by chemical or physical means.

1.0161. When the word "concurrent" is used as qualifying disinfection, it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person, or after soiling of articles with such infectious discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

1.0162 When the word "terminal" is used as qualifying disinfection, it indicates the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to others, at the time when the patient is no longer a source of infection.

1.017 DISINFESTING. By disinfecting is meant any process (such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, or other methods) by which insects and lower animals known to be capable of conveying or transmitting infection may be destroyed.

**1.018 FUMIGATION.** By fumigation is meant a process by which the destruction of insects (such as mosquitoes, fleas, bedbugs and body lice) and lower animals (such as rats) is accomplished by the employment of gaseous agents.

**1.019 ISOLATION.** By isolation is meant the separating of persons or animals suffering from a communicable disease, or carriers of the infecting micro-organisms, from other persons or animals, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

**1.0110 QUARANTINE.** By quarantine is meant the limitation of freedom of movement of persons or animals exposed to communicable disease for a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

**1.0111 RENOVATION.** By renovation is meant, in addition to cleansing, such treatment of the walls, floors and ceilings of rooms or houses and their contents as may be necessary to place the premises in a satisfactory sanitary condition.

**1.0112 REPORT OF A DISEASE.** By report of a disease is meant the notification to the Health Department.

**1.0113 SUSCEPTIBLE.** A "susceptible" is a person who is not known to have become immune to the particular disease in question by natural or artificial process.

**1.02 REPORTABLE DISEASES.** A "communicable disease" for the purpose of this Code is defined as one that may be transmitted from one person or animal to another person or animal either directly or indirectly. A "reportable" disease shall mean any disease or condition for which an official report is required. The following named diseases are declared reportable:

Amebiasis	Pellagra
Anthrax	Plague
Botulism	Pneumonia, pneumococcic
Cancer	Poliomyelitis
Chancroid	Psittacosis
Chickenpox	Puerperal septicemia
Cholera	Rabies
Dengue	Rabies in animals
Diphtheria	Rat-bite fever
Diseases resulting from occupation	Relapsing fever
Dysentery, bacillary	Rocky Mountain spotted fever
Encephalitis, epidemic	Scarlet fever
Erysipelas	Septic sore throat
Food infections	Smallpox
German measles	Syphilis
Glanders	Tetanus
Gonorrhea	Trachoma
Granuloma inguinale	Trichinosis
Hookworm	Tuberculosis, pulmonary
Influenza	Tuberculosis, other forms
	Tularemia

Leprosy  
Lymphopathia venereum  
Malaria  
Measles  
Meningococcus meningitis  
Mumps  
Ophthalmia neonatorum  
Paratyphoid fever

Typhoid fever  
Typhus fever, endemic  
Typhus fever, epidemic  
Undulant fever  
Weil's disease  
Whooping cough  
Yellow fever

### 1.03 ADDITIONAL DISEASES

There will be publicly declared by the Louisiana State Board of Health, from time to time, as is expedient and as necessity requires and the public health demands, other diseases to be reportable and, when any disease is so declared to be a reportable disease, the regulations herein provided shall apply to said disease as though the same had been reportable herein.

### 1.04 PHYSICIANS TO REPORT DISEASES

It is hereby made the duty of every physician holding a license to practice medicine in the State of Louisiana to report to the Louisiana State Board of Health, through the Parish Health Unit or local Board of Health of the municipality or parish wherein such physician practices, any case or suspected case of communicable or reportable disease which he is attending, or has examined, or for which such physician has prescribed; and such report shall be made within twenty-four (24) hours of the time the physician first visits, examines or prescribes for the patient. Such report shall state the name, age, sex, and race of the patient; the usual residence and the place where the patient is to be found; the nature of the disease and the date of onset. The venereal diseases—syphilis and gonorrhea—are to be classified as to stage and organ systems affected. (Printed forms and self-addressed envelopes, which do not require postage, will be furnished to physicians.) In the case of gonorrhea, chancroid and syphilis, the case may be reported by initials or a number; providing that, if the patient is not diligent in securing treatment and is a menace to the public health, his name and address shall be furnished to the health officer of competent jurisdiction.

1.041. Any physician, whether resident or non-resident, engaging in the practice of medicine on any vessel, train, or other common carrier, which enters any port, station or place in the State of Louisiana, is required to make reports as specified under Section 1.04.

1.042 It shall be the duty of every parent, guardian, householder, attendant, or others in charge, in the order named, within twenty-four (24) hours after the occurrence of a known or suspected case of communicable or reportable disease in his or her household or resort, to report the same to the local health officer, provided a licensed physician has not been in attendance upon the case.

### 1.05 AUTHORITY FOR ENTRANCE AND INSPECTION

No person shall interfere with or prevent the entrance to or examination of any house, building, trailer, camp, train, airplane, bus,



steamship, or other watercraft, or any abode, by any duly appointed health officer, or his accredited representative, or any duly authorized representative of the State Board of Health, when there is either suspected or reported to exist in said house, building, etc., a case of communicable disease.

#### **1.06 INVIOABILITY OF PLACARDS**

No person shall interfere with, conceal, mutilate or tear down any notices or placards placed on any house, building or premises by any authorized health official or his agent. Such placards shall be removed only on authority of an authorized health official or his agent.

#### **1.07 VERIFICATION OF DIAGNOSIS**

Cases reported to local health officers as cases of communicable diseases shall be treated as such upon the statement of the attending physician; providing, that if there is reason to doubt the correctness of the diagnosis or if the presence of the case is a matter of grave importance, the local health officer may, if in his opinion necessary, call upon the State Board of Health to investigate the case. The decision of the President of the State Board of Health as to diagnosis shall be final, for administrative purposes.

#### **1.08 NOTIFICATION OF SCHOOL AUTHORITIES**

Whenever any municipal or parish health officer or director of a health unit is informed of the existence of any disease in a communicable stage in any household, it shall be his duty to officially notify the parish or municipal Superintendent of Schools, or the principal of any school not under the jurisdiction of the Parish or Municipal Board of Education, patronized by the infected household. The health officer shall prohibit the attendance of any person from the infected household at any public or private school until, in his opinion, there is no danger of such person carrying infection.

1.081 Whenever the Parish or Municipal Superintendent of Public Education is notified by an authorized health official of the existence of disease in a communicable stage in any household sending children to public schools within his jurisdiction, he shall notify the principal or teacher of said school to refuse admission to any pupil residing in such infected household until such pupil or pupils shall present a permit to attend school, issued by the local health officer.

1.082 Parents, guardians, and others in charge of any household wherein exists any disease in a communicable stage are forbidden to allow any child, or other person, to attend any private or public school until a permit of attendance is secured from the local health officer.

#### **1.09. CLOSURE OF SCHOOL AND PLACES OF PUBLIC ASSEMBLY**

The President of the State Board of Health, or the parish or municipal health officer of competent jurisdiction, is empowered to close any public or private school or other place of public assembly when in his opinion such closing is necessary to protect public health;



and such school or other place of public assembly shall not reopen until permitted by the health officer concerned

#### **1.10 TRANSPORTATION OF PATIENTS WITH COMMUNICABLE DISEASE**

1.101 No person shall, except by permission of the local health officer in whose jurisdiction the case occurs, or may be found, carry or remove from one place of abode to another any patient affected with any communicable disease.

1.102 A person affected with any communicable disease shall not change his place of residence, or abode, while suffering from such disease, except by permission of the local health officer.

#### **1.11 FUNERALS OF THOSE WHO HAVE DIED OF CERTAIN COMMUNICABLE DISEASES**

1.111 Funerals of those who have died of:

Cholera, Asiatic	Poliomyelitis
Diphtheria	Psittacosis
Encephalitis, epidemic	Scarlet fever
Glanders	Smallpox
Meningococcic meningitis	Streptococcus sore throat
Paratyphoid fever	Typhoid fever
Plague	Typhus fever
	Yellow fever

when conducted in or on the premises where such deceased person died, shall be attended only by the members of the immediate household, the clergyman and the undertaker with his assistants. When held from a place other than where such person died, the health officer may, if the body has been embalmed and is permanently enclosed to his satisfaction, permit a public funeral. Bodies of persons whose deaths were caused by any of the above mentioned diseases must be buried within twenty-four (24) hours.

1.112 Persons who have been placed in quarantine by the health officer on account of contact with the deceased before death, or for other reason, shall not be permitted to attend the funeral except under such conditions as the health officer shall specify to prevent the spread of infection.

#### **1.12 QUARANTINE CONTACTS WITHIN SPECIFIC PREMISES**

Any parish or municipal health officer, or any duly authorized representative of the State Board of Health, is hereby empowered, and it is made his duty, whenever a case of communicable disease occurs in any household, or place, within his jurisdiction, and it is in his opinion necessary or advisable that persons residing therein shall be kept from contact with the public, to declare the house, building, apartment, room or place wherein the case occurs, a place of quarantine, and to require that no person shall leave or enter said quarantined place during the period of quarantine except with specific permission of the health officer.

## **1.13 GENERAL CONTROL MEASURES FOR REPORTABLE DISEASES**

Except for diseases for which equivalent measures of investigations and control are specifically provided in other regulations of this Code, it shall be the duty of the Health Officer or his agent, immediately upon receiving notification of any "reportable disease", to proceed as follows:

1.131 **INVESTIGATION** shall be made as the circumstances may require for the purpose of verification of the diagnosis, ascertaining the source of the causative agent, disclosing unreported cases and revealing contacts.

1.132 **LABORATORY SPECIMENS** of body tissues, fluids or discharges and of materials directly or indirectly associated with the case, as may be necessary or desirable in confirmation of the diagnosis or for ascertaining the source of the infection, shall be collected or caused to be collected and submitted to a laboratory for examination.

1.133 **CONTROL TECHNIQUES**, including concurrent and terminal disinfection, environmental sanitation, artificial immunizations and other recognized measures, shall be instituted as may be necessary to reduce morbidity and mortality.

1.134 **PLACARDING** shall be the duty of the health officer or his agent who has declared a house, building, apartment, room or place under quarantine. He shall put a placard on such place, stating thereon the name of the disease. Said placard shall remain posted in a conspicuous place until removed upon written order of the health officer or his agent.

1.135 **INFORMATION** concerning the disease and its prevention shall be given to the patient or a responsible member of his household, to prevent further spread of said disease.

## **1.14 SPECIFIC CONTROL MEASURES FOR CERTAIN REPORTABLE DISEASES**

Whenever a case of one of the diseases hereinafter named occurs, it shall become the duty of the municipal or parish health officer, in whose jurisdiction the case occurs, to institute promptly control procedures as hereinafter specified.

### **1.141 ANTHRAX**

1.1411 **Isolation.** Until lesions are healed.

1.1412 **Quarantine.** None.

1.1413 **Disinfection.** Of discharges from lesions as well as of sputum by burning; and of clothing, bedding and other articles by steam under pressure or incineration.

1.1414 **Animals in contact with the disease shall be quarantined one week.** Those ill with disease presumably anthrax shall be isolated immediately. Animals proved to have the disease shall be killed and promptly destroyed, preferably by incineration.

1.1415 **Disposal of Animals.** No person shall use, give away, or sell milk, hair, fur, hide, or dispose of any part of the body of an animal dead of anthrax except as specified above.

#### 1.142 **CHICKENPOX**

1.1421 **Isolation.** For ten days after the appearance of the first crop of lesions.

1.1422 **Quarantine.** None.

1.1423 **Disinfection.** Of discharges from the lesions and soiled articles.

#### 1.143 **CHOLERA**

1.1431 **Isolation.** In a screened room until bowel discharges no longer contain the infectious organism.

1.1432 **Quarantine.** For five days from last exposure. If carrier state is established, isolate until cholera vibrios are absent from stools.

1.1433 **Placard.** Premises and suspected water supplies.

1.1434 **Disinfection.** Of stools, vomitus, clothing, bedding and other articles, and of food left by patients.

#### 1.144 **DENGUE FEVER**

1.1441 **Isolation.** For five days from the onset of disease in a screened room so as to prevent entrance of mosquitoes.

1.1442 **Quarantine.** None.

#### 1.145 **DIPHTHERIA**

1.1451 **Isolation.** Until two cultures from the throat and two from the nose, taken not less than twenty-four (24) hours apart, fail to show the presence of diphtheria bacilli. Provided that isolation may be terminated if the micro-organism reported as morphologically "positive," although persistently present, proves to be an avirulent form.

1.1452 **Quarantine.** Of household child contacts and adult contacts whose occupation involves handling of foods, or close association with children. Quarantine of contacts to remain effective after cessation of intimate contact with patient until the contact is shown by bacteriological examination not to be a carrier.

1.1453 **Placard** the premises.

1.1454 **Disinfection.** Of respiratory discharges and all articles which have been in contact with the patient.

1.1455 **Milk distributors** shall not pick up empty bottles from a house in which a case of diphtheria exists. Milk shall be delivered into receptacles furnished by the householder.

#### 1.146 **DYSENTERY—AMEBIC AND BACILLARY**

1.1461 **Isolation.** During acute phase of the disease and until the

infectious organism is absent from the bowel discharge.

**1.1462 Quarantine.** None.

**1.1463 Disinfection.** Of bowel discharge.

**1.1464 Carriers.** Measures for the control of carriers of the organisms which cause dysentery shall be the same as those for the control of carriers of typhoid fever, given in paragraphs 1.14264 to 1.142616, inclusive.

#### **1.147 ENCEPHALITIS—EPIDEMIC**

**1.1471 Isolation.** For seven days after onset of the disease

**1.1472 Quarantine.** None.

**1.1473 Disinfection.** Of discharges from the nose, throat and bowel; and articles soiled therewith.

#### **1.148 GLANDERS**

**1.1481 Isolation.** Until patient is clinically well. Contact with the lesions in the living or dead body is to be scrupulously avoided.

**1.1482 Quarantine.** None for humans.

**1.1483 Disinfection.** Of discharge from open lesions and articles soiled therewith.

**1.1484 Animals** infected with this disease shall be isolated or, preferably, destroyed. All horses in an infected stable shall be quarantined until they have been tested in a suitable manner and the removal of infected horses and terminal disinfection of stable have been accomplished.

#### **1.149 GONORRHEA**

**1.1491 Persons** infected with gonorrhea, or suspected of being infected, shall be subject to the provisions of Act 61 of 1918, as amplified by regulations promulgated by the Louisiana State Board of Health.

**1.1492** It shall be the duty of the attending physician, midwife, nurse or other person in attendance on a confinement case to use at the time of the delivery prophylactic measures, such as the instillation into both eyes of one (1%) per cent solution of nitrate of silver, or an equally efficient agent, to prevent ophthalmia neonatorum or the development of sore eyes in the infant due to infection at birth.

#### **1.1410 LEPROSY**

**1.14101 Isolation** in the National Leprosarium at Carville, Louisiana, shall be requested by the Health Officer. In the event the patient can not be admitted to the National Leprosarium, or refuses to go there, he shall be kept in isolation in an institution or at his place of residence, or at such other place as may be designated by the President of the State Board of Health.



1.14102 **Quarantine.** None.

1.14103 **Transportation of patients to the National Leprosarium** to any other institution shall be arranged and supervised by the health officers.

1.14104 **Convalescent patients at liberty** shall be re-examined every six months by the health officer or his duly qualified representative to determine whether the disease remains arrested.

#### 1.1411 **MEASLES**

1.14111 **Isolation.** During the period of catarrhal symptoms and until the cessation of abnormal mucous membrane secretions, a minimum of the nine days—from four days before to five days after the appearance of the rash.

1.14112 **Quarantine.** For fourteen days from last exposure of inmates of children's institutions, wards, or dormitories; and, in sparsely settled areas, exclusion of susceptible children and school teaches from schools and public gatherings. Quarantine is of doubtful value in urban areas.

1.14113 **Placard** quarantined premises.

1.14114 **Disinfection.** Of the secretions of the nose and throat and soiled articles.

#### 1.1412 **MENINGOCOCCUS MENINGITIS**

1.14121 **Isolation.** Until fourteen days after onset of the disease or until negative swabs are obtained from the naso-pharynx.

1.14122 **Quarantine.** None; however, prevent overcrowding in living quarters, transportation conveyances, working places and especially in barracks, camps and on ships.

1.14123 **Disinfection.** Of discharges from the nose and mouth and articles soiled therewith.

1.14124 **Placard** the premises.

#### 1.1413 **MUMPS**

1.14131 **Isolation.** Of infected person from school and public places.

1.14132 **Quarantine.** None.

#### 1.1414 **PARATYPHOID FEVER**

1.14141 **Isolation.** In a fly-proof room.

1.14142 **Quarantine.** None.

1.14143 **Disinfection.** Of all bowel and urinary discharges and articles soiled with them.

1.14144 **Carriers.** Measures for the control of carriers of the organisms which cause paratyphoid fever shall be the same as those

for the control of carriers of typhoid fever, given in paragraphs 1.14264 to 1.142616, inclusive.

#### **1.1415 PLAGUE**

1.14151 **Isolation.** In a screened room which is free from vermin, under the personal supervision of the health officer in whose jurisdiction the case occurs, until clinically well.

1.14152 **Quarantine.** For seven days following last exposure of contacts of cases of the pneumonic form of plague.

1.14153 **Disinfection.** Of sputum and articles soiled therewith from a case of the pneumonic form.

1.14154 **Animals.** Extermination of rats and vermin, and ratproofing and elimination of breeding places on the premises and around areas where the disease persists.

1.14155 **Placard** the premises.

#### **1.1416 POLIOMYELITIS**

1.14161 **Isolation.** For two weeks from the onset of the disease.

1.14162 **Quarantine.** For fourteen days from last exposure of contacts of school age, and adults of the household whose vocations bring them into contact with children or with food to be eaten uncooked.

1.14163 **Disinfection.** Nose, throat, and bowel discharge and articles soiled therewith, preferably by boiling or burning.

1.14164 **Placard** the premises.

#### **1.1417 PSITTACOSIS**

1.14171 **Isolation.** During the febrile and acute clinical stage of the disease.

1.14172 **Quarantine.** None for humans.

1.14173 **Disinfection.** Of respiratory discharges.

1.14174 **Birds** incriminated as having caused this disease shall be killed and their bodies immersed in two per cent (2%) cresol. The spleens then shall be removed and sent to the laboratory for examination. (The laboratory shall provide containers and preserving and fixing solutions for this purpose.) Carcasses shall be burned before feathers dry. Buildings which housed birds known to have been infected shall be quarantined until thoroughly cleaned and disinfected.

1.14175 Birds of parrot (psittacine) family shall be entered into commerce only under the regulations promulgated by the U. S. Public Health Service Code of Federal Regulations—Title 42, Section 12.17.

#### **1.1418 RABIES IN ANIMALS**

1.14181 Any person owning or having in his possession or control any animal with rabies, or which shows any symptoms thereof, shall

immediately confine said animal and report it at once to the municipal or parish health officer, who shall cause such animal to be killed. The report shall include all known facts regarding such animal and whether it has had any contacts with other animals or with any persons whereby they might have been exposed to the disease.

1.14182 Every animal which has been exposed to rabies, or is suspected of having any symptoms of rabies, shall be confined in isolation at the expense of the owner for a period of six months in a place of confinement approved by the municipal or parish health officer. Should such confinement be impracticable, the animal shall be killed under the direction of the health officer. Any animal developing rabies after being confined shall be killed under the direction of the health officer.

1.14183 The bodies of all animals killed because of rabies, or because of suspected rabies, shall be disposed of under the direction of the municipal or parish health officer.

#### 1.1419 **SCARLET FEVER**

1.14191 **Isolation.** Until the end of the period of communicability. If medical inspection is not available, isolation shall be for twenty-one (21) days from onset for uncomplicated cases.

Post-convalescent patients shall not be released for work in food handling establishments or the milk and cream industry until:

(a) All draining sinuses are healed;

(b) Until two cultures from the throat, taken at least twenty-four (24) hours apart, shall be negative.

1.14192 **Quarantine.** Exclusion for seven days of children and teachers who are household contacts from association with children; and food handlers from their work.

1.14193 **Disinfection.** Of discharges and soiled articles.

1.14194 **Milk distributors** shall not pick up empty milk bottles from a house in which a case of scarlet fever exists. Milk shall be delivered into receptacles furnished by the householder.

1.14195 **Placard** the premises.

#### 1.1420 **SEPTIC SORE THROAT**

1.14201 **Isolation.** During the clinical course of the disease.

Post-convalescent patients shall not be released for work in food handling establishments or the milk and cream industry until:

(a) All draining sinuses are healed;

(b) Until two cultures from the throat, taken at least twenty-four (24) hours apart, are negative.

1.14202 **Quarantine.** None.

1.14203 **Disinfection.** Disinfect discharges from the nose and throat and soiled articles.

#### 1.1421 **SMALLPOX**

1.14211 **Isolation.** In a screened room free from vermin until the period of infectivity is past.

1.14212 **Quarantine.** All contacts until vaccinated with virus of full potency and until the vaccinated contact presents satisfactory evidence of immunization; otherwise for sixteen days from last exposure.

1.14213 **Placard**<sup>1</sup> the premises.

1.14214 **Disinfection.** Disinfect discharges of the respiratory tract and soiled articles.

#### 1.1422 **SYPHILIS**

1.14221 Persons infected with syphilis, or suspected of being infected, shall be subject to the provisions of Act 61 of 1918, as amplified in regulations promulgated by the Louisiana State Board of Health.

#### 1.1423 **TRACHOMA**

1.14231 **Isolation.** From general school classes and public gatherings until non-contagious.

1.14232 **Quarantine.** None.

#### 1.1424 **TUBERCULOSIS—PULMONARY**

1.14241 **Isolation.** Of recalcitrant infectious patients who deliberately or carelessly endanger the health of others, until such time as they are no longer a danger to the public health. All patients with "open communicable" tuberculosis shall be restricted from attending or working in a school or in food-handling, or in the production or handling of milk or milk products.

1.14242. **Quarantine.** None.

1.14243 **Disinfection.** Of respiratory discharges and soiled articles.

#### 1.1425 **TULAREMIA**

1.14251 **Isolation.** None.

1.14252 **Quarantine.** None.

1.14253 **Disinfection.** Of discharges from ulcers and conjunctival sacs.

1.14254 **Animals.** Restrict the sale of small wild game on public market, particularly rabbits and hares from regions with high tularemia incidence in animals.

#### 1.1426 **TYPHOID FEVER**



1.14261 **Isolation.** In a flyproof room until two successive negative cultures of stool and two of urine, collected not less than twenty-four (24) hours apart in each case, are obtained.

1.14262 **Quarantine.** None.

1.14263 **Disinfection.** Of all bowel and urinary discharges and all soiled articles.

1.14264 **Carriers.** For the purpose of this Code a carrier of typhoid fever is a person in whose excretions the germs of typhoid fever are present, but who does not present clinical evidence of such disease and who has not suffered from such disease within a period of ten days. Provided, that any person, in whose feces or urine typhoid bacilli are present and who has not suffered from typhoid fever within one year, shall be deemed a chronic or permanent typhoid carrier. A person shall be deemed a typhoid carrier if:

- (a) The germs of typhoid fever are found in his excretions by an approved laboratory; or
- (b) Epidemiological evidence points to such person as the source of one or more cases of disease and such person refuses to submit specimens of his body excretions for laboratory examination; or
- (c) Such person is reported as a carrier to the State Department of Health by the health authorities of any state or nation.

1.14265 The health officer, upon the determination that a person is a typhoid carrier, shall so inform him or, in case of a minor, his guardian, and shall give instructions in detail as to the precautions to be observed in preventing the spread of typhoid fever.

1.14266 The health officer shall inform the head of the household in which a carrier resides that such an individual is a typhoid carrier, and of the precautions to be observed; and no persons other than members of the family to which the carrier is immediately related shall continue to be or become a member of the household in which the typhoid carrier lives, except with the permission of the health officer, and then only after the head of the household has first informed such person, or, in the case of a minor, his parent or duly appointed guardian, of the presence of such carrier in the household.

1.14267 The health officer, either personally or through a qualified representative, shall visit each typhoid carrier in his jurisdiction at least every six months, in order to assure himself that the requirements of this Code for the control of typhoid carriers are being complied with.

1.14268 **Control of carriers.** The urine and feces of a typhoid carrier shall be disposed of in such manner that they will not endanger any public or private water supply or be accessible to flies.

1.14269 No typhoid carrier shall prepare or handle any food or drink to be consumed by persons other than himself.

1.142610 No typhoid carrier shall conduct or be employed in any restaurant, hotel, or boarding house, or conduct a lodging house, in which, prior to taking lodgers, a separate toilet and bathroom has not been installed for the sole use of the typhoid carrier, which toilet shall be located in a part of the house separate from any parts which may be occupied by a lodger.

1.142611 No typhoid carrier shall reside or be employed in a boarding house for children.

1.142612 No typhoid carrier shall engage in the occupation of nurse, cook, waiter, nursemaid or in any other occupation involving the handling of milk, cream, milk products, oysters and other food products, or utensils used in the production thereof.

1.142613 No typhoid carrier shall be permitted to reside on premises on which one or more cows are kept, except under conditions to be prescribed by the health officer; which conditions shall include a written agreement signed by the carrier, or, if the carrier is a minor, by his parent or duly appointed guardian, and by the owner of the cows or his representative.

Such agreement shall stipulate either:

(a) That no milk, cream or other dairy products from such premises will be sold or given away to persons other than members of the household residing on such premises, or

(b) That milk and cream will be sold only in accordance with a special permit issued by the local health officer and the local health officer of the jurisdiction in which the milk or cream is to be sold.

1.142614 Such permit and agreement shall provide that:

(1) The milk or cream will be sold only to the individual or firm designated in the permit, which individual or firm restricts its output to a pasteurized product;

(2) The carrier will not engage in any activities involving milking or the handling of milk, cream or dairy utensils, or enter the milk house or barns where the milk-producing cows are kept;

(3) No milk or cream which is to be subsequently sold, or any utensils used in the production of milk or cream, shall be brought into the house occupied by the carrier;

(4) No changes shall be made in the source of the water supply or in the system by which it is distributed on the farm, or in the means of sewage disposal, except with the approval of the local health officer;

(5) All other members of the carrier's household, except those who have had typhoid fever, shall be vaccinated against typhoid fever.

1.142615 No typhoid carrier shall change his usual place of abode or occupation without first notifying the local health officer, giving the proposed new address; and the health officer shall imme-

diately inform the State Board of Health and the health officer into whose jurisdiction such carrier is to remove.

1.142616 A chronic typhoid carrier may be released from restrictions only after submission of the following evidence:

That each of at least twelve successive specimens of liquid feces and one duodenum specimen, taken on successive days, and under circumstances which do not permit substitution, have been examined by the laboratory of the State Board of Health and found to contain no typhoid bacilli.

#### **1.1427 TYHUS FEVER—ENDEMIC**

1.14271 **Isolation.** In a vermin-free room until clinically well.

1.14272 **Quarantine.** None.

1.14273 **Disinfection.** None.

1.14274 **Animals.** Extermination of rats and vermin, and ratproofing and elimination of breeding places on the premises and around areas where the disease persists.

#### **1.1428 TYPHUS FEVER—EPIDEMIC**

1.14281 **Isolation.** In vermin-free room until clinically well.

1.14282 **Quarantine.** Delouse all persons on premises and in areas where disease persists.

1.14283 **Disinfection.** None.

1.14284 **Animals.** Extermination of rats and vermin, and ratproofing and elimination of breeding places on the premises and around areas where the disease persists.

#### **1.1429 UNDULANT FEVER**

1.14291 **Isolation.** None.

1.14292 **Quarantine.** None.

1.14293 **Disinfection.** None.

1.14294 **Animals.** Restrict the sale of raw milk from dairy or goat herds in regions with high undulant fever incidence.

#### **1.1430 WHOOPING COUGH**

1.14301 **Isolation.** From school and public places until clinically well.

1.14302 **Quarantine.** Of contacts for fourteen days, except those who are immune, from school and public gatherings.

1.14303 **Placard** the premises.

#### **1.1431 YELLOW FEVER**

1.14311 **Isolation.** In an effectively screened room for four days after onset of the fever. The room shall be freed of mosquitoes.

1.14312 **Quarantine.** For six days of exposed contacts.

1.14313 **Placard** the premises.

## 1.15 EMERGENCY POWERS OF HEALTH OFFICERS

Whenever, in the opinion of any parish or other health officer, it is necessary for the protection of health in the parish, municipality or district within his jurisdiction, he may take complete charge of any case of communicable disease occurring therein, and may carry on such measures to prevent its spread as he may believe necessary and as are provided for by this Code. In such cases the entire cost of such measures shall be borne and defrayed by the parish, municipality or district concerned.

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## CHAPTER II

# INLAND QUARANTINE

2.01 For the purpose of this Code, the quarantinable diseases are declared to be: Cholera, plague, epidemic typhus fever, yellow fever and leprosy.

2.02 Whenever a quarantinable disease is present in any community within or without the State, the State Health Officer shall, if in his opinion it is necessary, proclaim and institute a quarantine against the locality in which the said disease prevails, and shall formulate and publish rules and regulations to carry out such quarantine effectively; which rules and regulations shall have the same force and authority as this Code and shall remain in force until rescinded by proclamation of the State Health Officer.

2.03 It shall be unlawful for any person to enter or leave any quarantined area in the State, or to enter from any quarantined area without the State, except by permission of the State Health Officer, or his duly authorized representative.

2.04 Upon declaring a quarantine the State Health Officer shall at once call a meeting of the State Board of Health.

2.05 Should a case of quarantinable disease be reported to the State Health Officer, the case, or cases, shall be reported immediately by the State Health Officer to the United States Public Health Service, and to the health officers of such states as are immediately concerned therewith.

2.06 All boats, ships or other watercraft of whatever nature or kind, used for the transportation of passengers or freight within the State of Louisiana, shall be subject to disinfection and fumigation under the direction and rules of the State Board of Health, whenever required by the State Health Officer, or his duly authorized representative, or by any health officer acting within his jurisdiction.



## CHAPTER III

# EGGS

3.01 **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of these regulations:

3.011 The term "eggs", "fresh eggs", "yard eggs" shall mean and shall be used only for eggs that are sound, clean, sweet, clear and full, and which have not been held in cold storage longer than 30 days, or processed in any way.

3.012 The term "cold storage eggs" shall mean, and shall be used for, all eggs that have been held in storage for a period exceeding thirty days at a temperature not exceeding 40° F.

3.013 The term "processed eggs" shall mean, and shall be used for, all eggs in which the natural deterioration has been prevented or retarded by any means, process or treatment, other than refrigeration.

3.014 The term "frozen eggs" shall mean that product obtained by removing the white and yolk from the shell and then subjecting them to a freezing process in an approved container, so that the egg material is frozen.

3.015 The term "dried eggs" shall mean that product obtained by removing the white and yolk from the shell and then subjecting them to a dehydrating process, so that the bulk of the normal moisture content of the egg is removed.

3.016 The term "candling" shall mean the examination of eggs in an apparatus which allows the holding of the eggs before a strong light in such a way that the rays of light will shine through the eggs and reveal the contents to the operator.

3.017 The term "moldy egg" shall mean any egg which has deteriorated so that mold has formed within the egg. (Such eggs when broken usually have a moldy or musty smell.)

3.018 The term "black rot" shall mean an egg which has deteriorated to such an extent that the whole interior presents a darkened appearance.

3.019 The term "blood ring" shall mean an egg in which the germ has developed to such an extent that blood has formed and when this development stops the blood collects in a ring on the inside of the shell.

3.0110 The term "adherent yolk" shall mean an egg in which the yolk has settled to one side and become fastened to the shell.

3.0111 The term "partly hatched" shall mean an egg in which the germ has developed beyond the blood ring stage to such an extent the outline of the embryo chick can be detected.

3.0112. The term "black spots" shall mean an egg in which mold

or bacteria have developed in isolated areas inside the shell to produce definite "spots."

3.0113 The term "mobile yolk" shall mean an egg in which the yolk while remaining near the center of the egg moves slightly laterally (from one side to the other), or upward or downward.

3.0114 The term "air cell" shall mean the airpocket present in one end of the egg.

3.02 **EGGS UNFIT FOR FOOD.** No person, firm, or corporation shall sell any egg that is unfit for human food, unless it has been cracked and denatured in such a manner as to be inedible for human food.

3.021 Eggs showing any of the following conditions shall be deemed unfit for human food:

- (a) Moldy egg
- (b) Black rot egg
- (c) Blood ring egg
- (d) Adherent yolk egg
- (e) Partly hatched egg
- (f) Black spot egg
- (g) Any decomposed, putrid or filthy egg
- (h) Any egg subjected for any period of time to incubation.

3.022 All eggs found unfit for human food at time of candling shall be cracked by the candler and denatured with some suitable substance whereby they cannot be sold or utilized in any way in foods or food products. Inedible eggs shall not be mixed with edible eggs cracked for freezing, drying or other treatment whereby the unfit eggs would lose their identity and become inseparably mixed with edible eggs.

3.03 **EGG DEALERS.** Every person, firm or corporation buying eggs for resale must provide a dark room or place for the candling of eggs bought or sold, and all eggs bought or sold must be candled with a proper candling apparatus, before they are offered for sale.

3.031 Each person buying and selling eggs shall keep a record of all eggs bought, such record to show at least the following information:

- (a) Date of purchase
- (b) From whom purchased

3.0322 Egg purchasing records shall be kept on file for at least one year, and shall be available for inspection by any authorized representative of the city, parish or state health department at any time during reasonable work hours.

3.033 All hucksters buying or selling eggs shall carry records of candling with them or shall keep such records available at place of candling.

3.04 **LABELING OF EGGS.** All eggs offered for resale shall be contained in proper egg cases or containers bearing a statement pasted on each end of such case setting forth in clear legible print the name

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of the dealer from whom purchased, the dealer's address, the date of candling and the grade of the eggs, if graded. If candled but "ungraded" the label shall so state. No erasures or changes in this labeling shall be permitted. Cases so labeled shall not be refilled until all old labels have been removed, and they must be relabeled by the dealer at time of refilling.

3.041 All cold storage eggs or processed eggs which have been held in storage must be recandled when removed from storage before being offered for sale, and they must be regraded and then relabeled according to the requirements of 3.04.

3.042 During seasons when the temperature is 60° F., or over, no dealer shall sell eggs which have not been candled within a period of forty-eight (48) hours, unless the eggs have been continuously refrigerated at or below 50° F. During other seasons, a period of three (3) days between candling of eggs is permissible, unless the eggs are kept under refrigeration, in which case they shall be handled as required by 3.041.

3.05 **PERMITS.** No person, firm or corporation shall deal in eggs without first obtaining a permit to operate from the local health officer or parish health unit director.

3.051 A permit to operate shall be issued in the name of the person, firm or corporation making application therefor, and shall not be transferable. Permits shall be issued for the calendar year, and must be renewed on or before the first of January of the year following.

3.052 Permits may be revoked for failure to comply with these regulations.

3.053 Any person whose permit to operate has been revoked may apply for a renewal. Upon receipt of such an application for renewal, the health officer shall cause the premises of said dealer to be inspected and, if all supplies and equipment are found to be in order, the permit to operate may be re-issued, contingent upon the dealer maintaining his establishment and supplies in compliance with these regulations.

3.054 Any person, firm or corporation applying for a permit to operate must establish to the satisfaction of the local health officer or parish health unit director that said person, firm or corporation is equipped with a dark room, candling apparatus, labels and other necessary supplies and equipment to engage satisfactorily in the business of buying and selling eggs.

3.06 **STANDARDS FOR QUALITY OF EGGS.** When labels for eggs carry a notation as to grade or quality, the following standards shall be used in grading:

3.061 Eggs to be graded and labeled as "Grade A" must comply with the following requirements:

(a) **SHELL.** The shell must be clean, unbroken and normal.

(b) **AIR CELL.** The air cell must not exceed 2/8 inch in depth and may be regular or slightly wavy.

(c) **YOLK.** The yolk outline may be fairly well defined. The yolk must be practically free from defects or blemishes visible before the candle.

(d) **WHITE.** The white must be clear and reasonably firm.

**3.062 Eggs to be graded and labeled as "Grade B" must comply with the following requirements:**

(a) **SHELL.** The shell must be clean and unbroken, but may be slightly abnormal.

(b) **AIR CELL.** The air cell must not exceed  $\frac{3}{8}$  inch. If the air cell is small (not over  $\frac{3}{8}$  inch in depth), it may be free.

(c) The **YOLK** outline may be well defined. The yolk may show definite but not serious defects visible before the candle.

(d) **WHITE.** The white must be clear but may be slightly weak.

**3.063 Eggs to be graded and labeled as "Grade C" must comply with the following requirements:**

(a) **SHELL.** The shell must be clean and unbroken but may be abnormal.

(b) **AIR CELL.** The air cell may be over  $\frac{3}{8}$  inch in depth and may be bubbly or free.

(c) **YOLK.** The yolk may show clearly visible germ development, but no blood due to such development. It may show other defects that do not render the egg inedible.

(d) **WHITE.** The white may be weak and watery. Small meat spots or blood clots may be present.

**3.07 STANDARDS FOR QUALITY** of individual eggs with dirty, unbroken shells:

**3.071 LIGHT DIRTY.** Individual eggs that have not more than one-eighth ( $\frac{1}{8}$ ) of the shell surface slightly stained, slightly soiled, or slightly dirty, but without loose adhering dirt and of the interior quality of "Grade B" or better, shall be classed as Light Dirty.

**3.072 DIRTY.** Individual eggs with more than one-eighth ( $\frac{1}{8}$ ) of the shell surface stained, soiled, or dirty, or with less than one-eighth ( $\frac{1}{8}$ ) of the shell surface stained, soiled or dirty to such an extent that it is more so than slightly; or any egg with the shell slightly stained, soiled or dirty and of the interior quality of "Grade C," shall be classed as Dirty.

**3.08 STANDARDS FOR QUALITY** of individual eggs with checked or cracked shells:

**3.081 CHECKS.** Individual eggs with either clean or dirty shell that have an open crack or break in the shell but with the shell membrane unbroken and with no leakage of the shell contents, shall be classed as Checks.



**3.082 LEAKERS.** Individual eggs with either clean or dirty shell that have an open crack or break in the shell membrane and with the contents exuding or free to exude through the shell, shall be classed as Leakers.

**3.09 CONSUMER GRADES FOR SHELL EGGS.** Eggs packed in cartons for retail sale to the consumer, if graded, shall meet the following standards; provided, that ungraded eggs shall be labeled "Ungraded."

**3.091 CONSUMER GRADE A.** Eggs labeled as "Grade A" shall consist of 80% Grade A or better and the balance Grade B, except for a permitted tolerance of eighteen eggs per thirty dozen that may be of the quality of Grade C, Light Dirty or Checks, and of which not more than three eggs may contain small meat spots or blood clots.

**3.092 CONSUMER GRADE B.** Eggs labeled as "Grade B" shall consist of at least 80% Grade B or better and the balance Grade C or Light Dirty, except for a permitted tolerance of thirty-six eggs per thirty dozen of the quality of Dirty or Checks, of which not more than five eggs may contain meat spots or blood clots.

**3.093 CONSUMER GRADE C.** Eggs labeled as "Grade C" shall consist of at least 80% Grade C or Light Dirty or better and the balance are Checks or Dirty.

**3.10 WEIGHT CLASSES FOR CONSUMER GRADES FOR SHELL EGGS.** Eggs packed in cartons and labeled by any term to indicate size shall comply with the following weight standards:

**3.101 JUMBO.** Eggs labeled as "Jumbo" shall weigh not less than fifty-two (52) pounds per thirty (30) dozen, nor less than twenty-eight (28) ounces per dozen, nor shall any individual egg weigh less than at the rate of twenty-seven (27) ounces per dozen.

**3.102 EXTRA LARGE.** Eggs labeled as "Extra Large" shall weigh not less than forty-eight and one-half (48½) pounds per thirty (30) dozen nor less than twenty-six (26) ounces per dozen, nor shall any individual egg weigh less than at the rate of twenty-five (25) ounces per dozen.

**3.103 LARGE.** Eggs labeled as "Large" shall weigh not less than forty-five (45) pounds per thirty (30) dozen nor less than twenty-four (24) ounces per dozen, nor shall any individual egg weigh less than at the rate of twenty-three (23) ounces per dozen.

**3.104 MEDIUM.** Eggs labeled as "Medium" shall weigh not less than forty (40) pounds per thirty (30) dozen nor less than twenty-one (21) ounces per dozen, nor shall any individual egg weigh less than at the rate of twenty (20) ounces per dozen.

**3.104 MEDIUM.** Eggs labeled as "Medium" shall weigh not less than thirty-four (34) pounds per thirty dozen nor less than eighteen (18) ounces per dozen, nor shall any individual egg weigh less than at the rate of fifteen (15) ounces per dozen.

**3.11 REGRADING REQUIRED.** Eggs graded and labeled but not immediately sold, and which are held for a period of three (3) days

or over, shall be recandled and regraded before sale to the final purchaser.

#### CHAPTER IV

### BOTTLED WATER AND OTHER BOTTLED CARBONATED BEVERAGES

**4.01 LOCATION AND USE OF BUILDING.** The building, or portion thereof, employed for the manufacture of bottled water and other bottled carbonated beverages, shall be used for no other purpose, and shall be so located as to be protected from objectionable surroundings.

**4.02 FLOORS.** The floors of all rooms shall be of concrete, tile, or other impervious material with a smooth surface, and shall be maintained in a clean and sanitary condition. They shall be graded and sloped to properly trapped drains.

**4.03 WALLS AND CEILINGS.** Walls and ceilings in the syrup and bottling rooms shall be of hard, sound materials with smooth, easily cleaned surfaces, frequently painted and maintained clean.

**4.04 LIGHT AND VENTILATION.** All rooms shall be adequately lighted and ventilated.

**4.05 PROTECTION AGAINST FLIES.** All openings to the outer air shall be screened or otherwise protected, where necessary, against entrance of flies. The syrup room shall be especially protected against flies.

**4.06 SYRUP ROOM.** The syrup room shall be separately enclosed, well ventilated and lighted; provided with sinks and hot and cold water; thoroughly protected against vermin, flies, dirt, and dust; and so constructed as to be easily cleaned.

**4.07 WATER AND SEWER CONNECTIONS.** Running water of satisfactory quality shall be easily accessible to all parts of the plant. Adequate provision shall be made for prompt removal and proper disposal of waste water and sewage. If a separate water supply is used for any purpose in the plant, there shall be no connection between that supply and the potable supply used for manufacturing.

**4.08 TOILETS AND WASHROOMS.** Adequate toilet and lavatory facilities shall be provided and shall be maintained in a clean and sanitary condition. Toilet and washroom fixtures shall be so constructed and so operated as to prevent return-flow, or back-siphonage, from such fixtures into the water supply. Toilet rooms shall have no direct connection with rooms used for manufacturing or bottling.

**4.09 WASHING, CARBONATING, FILLING AND CROWNING MACHINERY.** Every plant manufacturing bottled beverages shall be equipped with suitable mechanical bottle washing apparatus and with approved machines for carbonating, filling, and crowning, so that these operations can be performed in such a manner as to prevent any part of the operator or his clothing from coming in contact with those surfaces of the bottle which come in contact with the beverage. Bottle

washing machines shall be so constructed and operated as to prevent back-siphonage, or return-flow, into the water supply lines.

**4.10 CONVEYORS AND CASES.** Conveyors and cases shall be maintained in a clean and sanitary condition.

**4.11 SYRUP MAKING EQUIPMENT.** All vats, jars, mixing and storage tanks, pipe lines, filters, and other apparatus employed in the preparation of syrups, shall be of sanitary construction and lined with materials resistant to the action of syrup ingredients.

**4.12 WATER CLARIFICATION EQUIPMENT.** Electrical or chemical coagulation devices and filters employed for clarification of water, shall be of types approved by the State Board of Health, shall not be operated beyond their rated capacity, and shall be maintained in a clean and sanitary condition at all times.

**4.13 MISCELLANEOUS EQUIPMENT.** Every plant manufacturing bottled carbonated beverages shall be adequately provided with thermometers, acid and sugar hydrometers, gas volume testers, and apparatus for ascertaining the alkalinity and causticity of the soaker solution employed in bottle washing.

**4.14 PLANT LAYOUT.** Where practicable, the operations of bottle washing and filling, compounding and mixing of syrups, and shipping, shall be performed in separate rooms. Where this is not feasible, the various operations shall be located in the available space in such a manner as not to interfere with one another.

**4.15 BOTTLE WASHING** Hand bottle washing, except as a preliminary to subsequent mechanical washing, is prohibited. All bottles shall be thoroughly cleaned and sterilized, immediately before filling, by means of a suitable automatic mechanical washing machine.

**4.16 PREPARATION OF SYRUPS.** Syrups shall be prepared in a clean manner, and every precaution shall be taken against contamination or absorption of deleterious substances during the process of preparation and subsequent storage.

**4.17 FILLING AND CROWNING.** Manual filling or crowning is prohibited. Bottles shall be filled and capped with automatic machinery, and the operator or his clothes shall not come in contact with any portion of the bottle or machinery which might result in contamination of the product.

**4.18 STORAGE OF CROWNS.** Crowns shall be stored in dust-proof containers.

**4.19 PREPARATION AND STORAGE OF COLORS.** All non-alcoholic colors shall be prepared in small batches, sterilized immediately before use, and stored so as to be protected against dust.

**4.20 STORAGE OF FINISHED GOODS.** The finished products shall be stored in such a manner as not to interfere with the sanitation of the bottling room.

**4.21 REFUSE AND RUBBISH.** Broken bottles and such other refuse and rubbish as may be found in returned cases, etc., shall be placed in suitable containers and properly disposed of.



**4.22 STERILIZATION AND CLEANING OF APPARATUS.** All pipe lines, apparatus and containers employed in the manufacturing processes shall be thoroughly washed, cleaned, and sterilized, at frequent intervals, so as to be maintained at all times in a clean and sanitary condition. Steam, hot water, chlorine or other equally efficient agents are permissible for sterilization.

**4.23 WATER.** The water employed in the manufacture of beverages, and for rinsing bottles or other containers, shall be free from substances deleterious to health and shall conform to the regulations of this Code and to the standards of the Louisiana State Board of Health for potable water.

**4.24 SUGAR.** The sweetening agents employed in the manufacture of bottled carbonated beverages shall consist exclusively of edible sugar such as sucrose, dextrose, invert sugar, and levulose, singly or in combination, or other suitable and nutritious carbohydrates. The use of saccharin is prohibited.

**4.25 PRESERVATIVES.** No antiseptic, disinfectant, or preservative prohibited by food and drug or health laws shall be used in beverages.

**4.26 ACIDS AND FLAVORS.** Citric, tartaric, or other edible organic acids, and their salts, may be used. Mineral acids, other than phosphoric acid or its salts, are prohibited in carbonated beverages. Acids and flavors shall be stored in suitable containers, properly labeled, and protected against contamination.

**4.27 COLORS.** Only caramel, U. S. certified coal tar, or approved vegetable colors shall be used.

**4.28 APPEARANCE, SANITARY HABITS AND HEALTH OF EMPLOYEES.** All persons engaged in the mixing, of syrups, filling of bottles, or in any other capacity which brings them in contact with the ingredients or containers of beverages, shall be free from communicable diseases or insanitary habits, and shall be of clean, neat appearance and shall wear clean clothes.

## CHAPTER V

# DAIRIES, MILK AND MILK PRODUCTS

## MILK REGULATIONS

**DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of these regulations.

**5-0101 ABNORMAL MILK.** Any milk or milk product shall be deemed to be abnormal if:

- (1) It contains filth, dirt and any foreign material.
- (2) It is obtained from unhealthy cows.
- (3) It is obtained from cows with infected udders.
- (4) It is colored.
- (5) It has a foreign taste and odor.
- (6) It is slimy or rosy.



**5.0102 ADULTERATED OR MISBRANDED MILK AND MILK PRODUCTS:**

(a) Any milk or milk product shall be deemed to be adulterated if:

(1) It contains any unwholesome substance.

(2) If defined in these regulations, it does not conform to its definition.

(3) If any substance has been added to the milk or milk product so as to reduce, lower or injuriously affect its quality.

(4) If any substance has been substituted wholly, or in part, for any substance naturally inherent in the milk or milk product.

(b) Any milk or milk product shall be deemed to be misbranded which is not labeled in accordance with the requirements of paragraphs 5.04 and 5.041.

**5.0103 AND/OR.** Where the term "and/or" is used, "and" shall apply where possible, otherwise "or" shall apply.

**5.0104 AVERAGE BACTERIAL PLATE COUNT, DIRECT MICROSCOPIC COUNT, REDUCTION TIME, AND COOLING TEMPERATURE.** Average bacterial plate count and average direct microscopic count shall be taken to mean the logarithmic average, and the average reduction time and average cooling temperature shall be taken to mean the arithmetic average, of the respective results of the last four consecutive samples, taken upon separate days, irrespective of the date of grading or regrading.

**5.0105 BUTTERMILK.** Buttermilk is a product resulting from the churning of milk or cream, or from the souring or treatment by a lactic acid or other culture of milk, skimmed milk, reconstituted skimmed milk, evaporated or condensed milk or skimmed milk, or skimmed milk powder. It contains not less than 8.5 per cent of milk solids not fat.

**5.0106 CREAM AND SOUR CREAM.** Cream is a portion of milk which contains not less than 18 per cent milk fat. Sour cream is cream the acidity of which is more than 0.20 percent, expressed as lactic acid.

**5.0107 DAIRY OR DAIRY FARM.** A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or offered for sale.

**5.0108 GOAT MILK.** Goat milk is the lacteal secretion, free from colostrum, obtained by the complete milking of healthy goats, and shall comply with all the requirements of these regulations. The word "cows" shall be interpreted to include goats.

**5.0109 GRADING OF MILK.** Grading of milk is a system by which milk and certain milk products are rated according to quality.

5.0110 GRADING PERIOD. The grading period shall be such period of time as the health officer may designate within which grades shall be determined for all milk and milk products, provided that the grading period shall in no case exceed 6 months.

5.0111 HEALTH OFFICER. The term "health officer" shall mean the health authority having jurisdiction in a municipality, parish or health district.

5.0112 HOMOGENIZED MILK. Homogenized milk is milk which has been treated in such manner as to insure break-up of the fat globules to such an extent that after 48 hours storage no visible cream separation occurs on the milk and the fat percentage of the top 100 cc. of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than 5 per cent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

5.0113 METHYLENE BLUE TEST OR REDUCTION TIME. This test is known as the Methylene Blue Reduction Method. Bacteria present in milk have the property of decolorizing methylene blue dye when the dye is added to a small portion of the milk.

The decolorization of the blue dye depends upon the removal of oxygen from the methylene blue by vital activities of bacteria. The rate of decolorization is related to the number of bacteria present in the milk and this in turn depends largely upon the care exercised in producing and handling the milk.

Tubes of milk to which methylene blue has been added are placed in a water bath held at 37°C. The tubes are observed at certain stated intervals. When the milk has regained its normal color, the time is recorded. The length of time elapsed from the time the methylene blue is added to the time of disappearance of the blue color is known as the reduction time. This time is recorded as hours or minutes as the case may be.

The following table classifies milk that has been checked by the Methylene Blue Test:

Grade A Raw Milk—not decolorized in less than 8 hours.

Grade B Raw Milk—not decolorized in less than 3½ hours.

Standard Raw Milk—not decolorized in less than 1½ hours.

Grade A Raw Milk to be pasteurized—not decolorized in less than 6 hours.

Grade B. Raw Milk to be pasteurized—not decolorized in less than 3½ hours.

Standard Raw Milk to be pasteurized—not decolorized in less than 1½ hours.

5.0114 MILK. Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows, ex-

cluding that obtained within 15 days before and 5 days after calving, or such longer periods as may be necessary to render the milk practically colostrum free; which contains not less than 8.5 per cent of milk solids not fat, and not less than 3½ percent of milk fat.

5.0115 MILK DISTRIBUTOR. A milk distributor is any person who offers for sale or sells to another any milk or milk products for human consumption as such.

5.0116 MILK FAT OR BUTTER FAT. Milk fat or butter fat is the fat of milk.

5.0117 MILK OR SKIMMED MILK BEVERAGE. A milk beverage or a skimmed milk beverage is a food compound or confection consisting of milk or skimmed milk, as the case may be, to which has been added a syrup or flavor consisting of wholesome ingredients.

5.0118 MILK PLANT. A milk plant is any place or premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

5.0119 MILK PRODUCER. A milk producer is any person who owns or controls one or more cows a part or all of the milk or milk products from which is sold or offered for sale.

5.0120 MILK PRODUCTS. Milk products shall be taken to mean and include cream, sour cream, homogenized milk, goat milk, vitamin D milk, buttermilk, skimmed milk, reconstituted or recombined milk and cream, milk beverages, skimmed milk beverages, and any other product made by the addition of any substance to milk or to any of these products and used for similar purposes and designated as a milk product by the health officer.

5.0121 OVERFLOW MILK. Overflow milk or milk products is milk or milk products that have been caught in containers from:

- (1) Leaking valves.
- (2) Leaking joints in sanitary milk pipe lines.
- (3) Spillage at coolers and bottling machines.
- (4) Broken bottles.

Milk and milk products shall be considered overflow milk and milk products which have come in contact with equipment surfaces which have not been treated with a bactericide, thus exposing the milk and milk products to contamination.

5.1022 PASTEURIZATION. The terms "pasteurization," "pasteurized," and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to at least 143°F., and holding at such temperature for at least 30 minutes, or to at least 160°F., and holding at such temperature for at least 15 seconds, in approved and properly operated equipment; provided, that nothing contained in this definition shall be construed as disbaring any other process which has been demonstrated to be equally efficient and which is approved by the State Board of Health.



5.0123 PERSON. The word "person" as used in these regulations shall mean "person, firm, corporation, or association."

5.0124 PHOSPHATASE TEST. The phosphatase test is used to determine whether or not milk has been properly pasteurized. The test is based on the detection of phosphatase enzyme, a constituent of raw milk, which is inactivated by pasteurizing at 143°F. for 30 minutes or 160°F. for 15 seconds. Milk or cream pasteurized under commercial conditions at 143°F. for 30 minutes or at 160°F. for 15 seconds will give a definite color which may be compared to color standards. The test indicates small but significant deficiency in pasteurization, such as a drop in temperature of one to two degrees below 143°F., a shortage in holding time and the presence of as little as 1/10% of raw milk.

5.0125 RECONSTITUTED OR RECOMBINED MILK AND CREAM. Reconstituted or recombined milk is a product resulting from the recombining of milk constituents with water, and which complies with the standards for milk fat and solids not-fat of milk as defined herein. Reconstituted or recombined cream is a product resulting from the combination of dried cream, butter, or butter fat with cream, milk, skimmed milk, or water.

5.0126 SKIMMED MILK. Skimmed milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk fat percentage to less than 3½ percent.

5.0127 VITAMIN D MILK. Vitamin D milk is the vitamin D content of which has been increased by a method and in an amount approved by the health officer.

## 5.02 THE SALE OF ADULTERATED OR MISBRANDED MILK OR MILK PRODUCTS PROHIBITED.

No person shall within a municipality, parish or health district, produce, sell, offer, or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated, misbranded, or which is produced or handled under conditions which do not meet the requirements of these regulations as specified by paragraphs 5.01 to 5.382 inclusive; provided, that the requirements for tuberculin testing of cattle shall in no case be omitted.

Where milk is shipped into a municipality, parish or health district, it shall be the duty of the receiver located in the municipality, parish or health district to furnish evidence satisfactory to the municipality, parish or health district that the milk was produced under conditions equal to the minimum requirements of these regulations.

The records and lists showing sources of supply of dealers, milk plants, milk depots, cooling stations, and others receiving milk from one or more sources, shall be open to inspection by representatives of the municipality, parish or health district having jurisdiction.

It shall be unlawful for any person, elsewhere than in a private home, to have in his possession in such municipality, parish or health district any adulterated, misbranded milk or milk products which do



not meet the requirements of these regulations as specified in paragraphs 5.01 to 5.382 inclusive. (This section of the regulations shall not be interpreted as prohibiting the use of ungraded milk for the manufacture of milk products other than those included in paragraph 5.0120 of these regulations.)

**5.03. PERMITS.** It shall be unlawful for any person who does not possess a permit from the health officer in whose jurisdiction the products are being sold or offered for sale, to bring into or receive into a municipality, parish or health district, or its police jurisdiction, for sale; or to sell, or offer for sale therein or to have in storage where milk or milk products are sold or served, any milk or milk products defined in these regulations.

Only a person who complies with the requirements of these regulations shall be entitled to receive and retain such a permit.

Such a permit may be suspended or revoked by the health officer upon violation by the holder of any of the terms of these regulations, after the holder of the permit has been given an opportunity for a hearing by the health officer.

**5.04 LABELING AND PLACARDING.** All bottles, cans, packages, and other containers enclosing milk or any milk product defined in these regulations shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in these regulations; (2) the grade of the contents, if graded; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the phrase "for pasteurization" if the contents are to be pasteurized; (6) the name of the producer if the contents are raw, and the name of the plant at which the contents were pasteurized, if the contents are pasteurized; and (7) in the case of vitamin D milk, the designation "Vitamin D Milk" and the source of the vitamin D. The label or mark shall be in letters of a size, kind and color approved by the health officer having jurisdiction, and shall contain no marks or words which are misleading.

5.041 Labeling of milk as Grade C Milk will be permitted by health officers only in municipalities, communities or parishes which are operating under the U. S. Public Health Service Milk Ordinance, and then, only for the purpose of degrading the milk supply.

5.042 Terms or words used on milk bottle caps or milk bottles such as: fresher, better, the best, the safest, special, natural, hygienic, baby milk and similar terms are prohibited. No manufacturer or agent of dairy supplies and milk bottle caps shall have in his possession, place orders for, ship into the municipality, parish or health district, or assist any other person to secure any dairy supplies and printed milk bottle caps not approved by the health officer having jurisdiction.

5.043 Every restaurant, cafe, soda fountain, or other establishment serving milk or milk products shall display at all times, in a place designated by the health officer, a notice approved by the health officer, stating the lowest grade of milk and/or milk products served.

#### **5.05 INSPECTION OF DAIRY FARMS AND MILK PLANTS.**

Where supplies are graded, the health officer or his authorized representative shall, at least once during each grading period, inspect all dairy farms and all milk plants within his jurisdiction whose milk or milk products are intended for consumption and which are subject to these regulations. In case the health officer discovers the violation of any item of sanitation prescribed in these regulations, he shall make or have made a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of 3 days; and the second inspection shall be used in determining the grade of milk and/or milk products. Any violation of the same item of these regulations on two consecutive inspections shall call for immediate degrading.

5.051 One copy of the inspection report shall be posted by the health officer, or his authorized representative, in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be defaced or removed by any person except the health officer, or his authorized representative. Another copy of the inspection report shall be filed with the records of the health department.

5.06 DAIRY FARMS. The following minimum requirements on items of sanitation must be complied with by dairy farms, within a municipality, parish or health district in the State of Louisiana:

5.061 COWS, TUBERCULOSIS AND OTHER DISEASES. Except as provided hereinafter, a tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every 12 months thereafter, by a licensed veterinarian approved by the Louisiana State Livestock Sanitary Board. Said tests shall be made and any reactors disposed of in accordance with the requirements approved by the United States Department of Agriculture, Bureau of Animal Industry, for accredited herds. A certificate signed by the veterinarian and filed with the health officer shall be evidence of the above test; provided, that in modified accredited areas in which the modified accredited area plan is applied to the dairy herds, the modified accredited area system approved by the United States Bureau of Animal Industry shall be accepted in lieu of annual testing.

5.06101 All Grade A milk and milk products consumed raw shall be from herds, or additions thereto, which have been found free from Bang's disease, as shown by blood serum tests for agglutins against *Brucella abortus* made in a laboratory approved by the health officer. All such herds shall be maintained free of reactors to the test for contagious abortion (Bang's disease), as conducted by the U. S. Department of Agriculture, Bureau of Animal Industry, or the Louisiana State Livestock Sanitary Board. A certificate identifying each animal by number, and signed by the inspector in charge or the Louisiana State Livestock Sanitary Board shall be evidence of the above test.

5.06102 Cows which show an extensive or entire induration of one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd. Cows giving bloody, stringy, or otherwise abnormal

milk, but with only slight induration of the udder, shall be excluded from the herd until re-examination shows that the milk has become normal.

5.06103 For other diseases such tests and examinations as the health officer may require shall be made at intervals and by methods prescribed by him, and any diseased animals or reactors shall be disposed of as he may require.

5.062 DAIRY BARN LIGHTING. A dairy or milking barn shall be required and, in such sections thereof where cows are milked, windows shall be provided and kept clean and so arranged as to insure adequate light properly distributed. When necessary, barns shall be provided with adequate supplementary artificial light. At least four square feet of window space per stanchion is required.

5.063 DAIRY BARN AIR SPACE VENTILATION. Such sections of all dairy barns where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid overcrowding. At least 500 cubic feet of air space per cow is required.

5.064 DAIRY BARN FLOORS. The floors and gutters of such parts of all dairy barns in which cows are milked shall be constructed of concrete or other approved impervious and easily cleaned material, shall be graded to drain properly, and shall be kept clean and in good repair. No horse, pigs, fowls, calves, etc., shall be permitted in parts of the barn used for milking.

5.065 DAIRY BARN WALLS AND CEILINGS. The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once every two years, or oftener if necessary, or finished in an approved manner; and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which cows are milked, the ceiling shall be tight. If the feed room adjoins the milking space, it shall be separated therefrom by a dust-tight partition and door. No feed shall be stored in the milking portion of the barn.

5.066 DAIRY BARN, COWYARD. All cowyards shall be graded and drained as well as practicable and kept clean.

5.067 MANURE DISPOSAL. All manure shall be removed and stored or disposed of in such manner as best to prevent the breeding of flies therein or the access of cows to piles therefor.

5.068 MILK HOUSE OR ROOM, CONSTRUCTION. There shall be provided a milk house or milk room in which the cooling, handling, and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils shall be done. (a) The milk house or room shall be provided with a tight floor constructed of concrete or other impervious material, in good repair, and graded to provide proper drainage. (b) It shall have walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished in an approved manner. (c) It shall be well lighted and ventilated. Window space shall not be less than 10%



of the floor area and light evenly distributed. (d) It shall have all openings effectively screened including outward-opening, self-closing doors, unless other effective means are provided to prevent the entrance of flies. (e) It shall be used for no other purpose than those specified above, except as may be approved by the health officer; shall not open directly into a stable or into any room used for domestic purposes; shall, unless the milk is to be pasteurized, have water piped into it; shall be provided with adequate facilities for the heating of water for the cleaning of utensils; shall be equipped with two-compartment stationary wash and rinse vats, large enough to submerge the largest equipment or container; except that in the case of retail raw milk, if chlorine is employed as the principal bactericidal treatment, the three-compartment type must be used, and shall, unless the milk is to be pasteurized, be partitioned to separate the handling of milk and the storage of cleansed utensils from the cleaning and other operations, which shall be so located and conducted as to prevent any contamination of the milk or of cleaned equipment.

**5.0609 MILK HOUSE OR ROOM: CLEANLINESS AND FLIES.** The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used.

**5.0610 TOILET.** Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated, and maintained, so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

**5.0611 WATER SUPPLY.** The water supply for the milk room and dairy barn shall be properly located, constructed and operated, and shall be easily accessible, adequate, and of a safe sanitary quality.

**5.0612 UTENSILS: CONSTRUCTION.** All multi-use containers or other utensils used in the handling, storage, or transportation of milk or milk products must be made of smooth nonabsorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. Woven wire cloth shall not be used for straining milk. All milk pails shall be of a small mouth design approved by the health officer. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

**5.0613 UTENSILS: CLEANING.** All multi-use containers, equipment and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly washed after each use in clean, hot water containing a suitable dairy cleanser (not soap).

**5.0614 UTENSILS: BACTERICIDAL TREATMENT.** All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall, between each usage, be subjected to an approved bactericidal process with steam, hot water, chlorine, or hot air, or the application of any other method or substance for the destruction of bacteria which in the opinion of the health officer, does not adversely affect the equipment or the milk or milk products, or the health of the consumer, and which is effective.



5.0615 UTENSILS: STORAGE. All containers and other utensils used in the handling, storage or transportation of milk or milk products shall be stored so as not to become contaminated before being used.

5.0616 UTENSILS: HANDLING. After bactericidal treatment, no container or other milk or milk product utensil shall be handled in such manner as to permit any part of any person or his clothing to come in contact with any surface with which milk or milk products come in contact.

5.0617 MILKING: UDDERS AND TEATS, ABNORMAL MILK. The udders and teats of all milking cows shall be clean and rinsed with a bactericidal solution at the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils.

5.0618 MILKING: FLANKS. The flanks, bellies, and tails of all milking cows shall be free from visible dirt at the time of milking.

5.0619 MILKER'S HANDS. Milker's hands shall be clean, rinsed with a bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milker's hands.

5.0620 CLEAN CLOTHING. Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils, or equipment.

5.0621 MILK STOOLS. Milk stools shall be made of metal and shall be kept clean.

5.0622 REMOVAL OF MILK. Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the dairy barn.

5.0623 COOLING. Milk must be cooled immediately after completion of milking to 50°F. or less, and maintained at that average temperature, as defined in paragraph 5.0104 until delivery. If milk is delivered to a milk plant or receiving station for pasteurization or separation, it must be delivered within 2 hours after completion of milking or cooled to 70°F. or less and maintained at that average temperature until delivered.

5.0624 BOTTLING AND CAPPING. Milk and milk products shall be bottled from a container with a readily cleanable valve, or by means of an approved bottling machine. Bottles shall be capped by machine. Caps or cap stock shall be purchased in sanitary containers and kept therein in a clean dry place until used.

5.0625 PERSONNEL: HEALTH. The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a retail raw milk dairy, or about to be employed, whose work brings him in contact with the production,

handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, the health officer shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by the health officer or by the State health authorities for such examinations; and if the results justify, such person shall be barred from such employment.

Any person who refuses to submit to such examinations and tests shall not be employed in a raw milk dairy or in a pasteurization plant.

Such persons shall furnish such information, submit to such physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

**5.07 PASTEURIZATION PLANTS, RECEIVING STATIONS, AND COOLING PLANTS.** The grading of a pasteurized milk supply shall include the inspection of receiving and collecting stations with respect to paragraphs 5.071 to 5.0715, inclusive, and 5.09, 5.11, 5.131 and 5.14, except that the partitioning requirements of paragraph 5.075 shall not apply.

**5.071 FLOORS.** The floors of all rooms in which milk or milk products are handled or stored or in which utensils are washed, shall be constructed of concrete or other equally impervious and easily cleaned material, and shall be smooth, properly drained, provided with trapped drains, and kept clean.

**5.072 WALLS AND CEILING.** Walls and ceilings of rooms in which milk and milk products are handled or stored or in which milk utensils are washed, shall have a smooth, washable, light-colored surface, and shall be kept clean.

**5.073 DOORS AND WINDOWS.** Unless other effective means are provided to prevent the access of flies, all openings into the outer air shall be effectively screened, and doors shall be self-closing.

**5.074 LIGHTING AND VENTILATION.** All rooms shall be well lighted and ventilated.

**5.075 MISCELLANEOUS PROTECTION FROM CONTAMINATION.** The various milk plant operations shall be so located and conducted as to prevent any contamination of the milk or of the cleaned equipment. All means necessary for the elimination of flies shall be used. There shall be separate rooms for (a) the pasteurizing, processing, cooling, and bottling operations, and (b) the washing and bactericidal treatment of containers. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment. Rooms in which milk, milk products, cleaned utensils or containers are handled or stored, shall not

open directly into any stable or living quarters. The pasteurization plant shall be used for no other purpose than the processing of milk and milk products and the operations incident thereto, except as may be approved by the health officer.

**5.076 TOILET FACILITIES.** Every milk plant shall be provided with toilet facilities conforming to the regulations of the State Board of Health. Toilet rooms shall not open directly into any room in which milk, milk products, equipment, or containers are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be separate from the building, and shall be of a sanitary type constructed and operated in conformity with the requirements of paragraph 5.0610.

**5.077. WATER SUPPLY.** The water supply shall be easily accessible, adequate, and of a safe, sanitary quality.

**5.078 HAND-WASHING FACILITIES.** Convenient hand-washing facilities shall be provided, including warm running water, soap and approved sanitary towels. The use of a towel in common is prohibited.

**5.079 SANITARY PIPING.** All piping used to conduct milk or milk products shall be "sanitary milk piping" of a type which can be easily cleaned with a brush. Pasteurized milk and milk products shall be conducted from one piece of equipment to another only through sanitary milk piping.

**5.0710 CONSTRUCTION AND REPAIR OF CONTAINERS AND EQUIPMENT.** All multi-use containers and equipment with which milk or milk products come in contact shall be constructed in such manner as to be easily cleaned, and shall be kept in good repair. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

**5.0711 DISPOSAL OF WASTES.** All wastes shall be properly disposed of.

**5.0712 CLEANING AND BACTERICIDAL TREATMENT OF CONTAINERS AND EQUIPMENT.** All milk and milk products containers and equipment, except single-service containers, shall be thoroughly cleaned after each usage. All containers shall be subjected to an approved bactericidal process after each cleaning, and all equipment immediately before each usage. When empty and before being returned to a producer by a milk plant each container shall be effectively cleaned and subjected to bactericidal treatment.

**5.0713 STORAGE OF CONTAINERS AND EQUIPMENT.** After bactericidal treatment all bottles, cans, and other multi-use milk or milk products containers and equipment shall be stored in such manner as to be protected from contamination.

**5.0714 HANDLING OF CONTAINERS AND EQUIPMENT.** Between bactericidal treatment and usage, and during usage, containers and



equipment shall not be handled or operated in such manner as to permit contamination of the milk.

**5.01715 STORAGE OF CAPS, PARCHMENT PAPER, AND SINGLE-SERVICE CONTAINERS.** Milk bottle caps or cap stock, parchment paper for milk cans, and single-service containers shall be purchased and stored only in sanitary tubes and cartons, respectively, and shall be kept therein in a clean dry place.

**5.08 PASTEURIZATION.** Pasteurization shall be performed as defined in paragraph 5.0122 of these regulations.

**5.09 COOLING.** All milk and milk products received for pasteurization shall immediately be cooled in approved equipment to 50°F. or less and maintained at that temperature until pasteurized, unless they are to be pasteurized within 2 hours after receipt; and all pasteurized milk and milk products shall be immediately cooled in approved equipment to an average temperature of 50°F. or less, as defined in paragraph 5.0104, and maintained thereat until delivered.

**5.10 BOTTLING.** Bottling of milk and milk products shall be done at the place of pasteurization in approved mechanical equipment.

**5.11 OVERFLOW MILK.** Overflow milk or milk products shall not be sold for human consumption.

**5.12 CAPPING.** Capping of milk and milk products shall be done by approved mechanical equipment. Hand capping is prohibited. The cap or cover shall cover the pouring lip to at least its largest diameter.

**5.13 PERSONNEL HEALTH.** The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a pasteurization plant, or about to be employed, whose work brings him in contact with the production, handling, storage, or transportation of milk, milk products, containers or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, the health officer shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the State health authorities for such examinations, and if the results justify, such person shall be barred from such employment.

Any person who refuses to submit to such examinations and tests shall not be employed in a pasteurization plant.

Such persons shall furnish such information, submit to such physical examination and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

**5.131 PERSONNEL CLEANLINESS.** All persons coming in contact with milk, milk products, containers, or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.



**5.14 MISCELLANEOUS.** All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun and from contamination. All vehicles used for the transportation of milk or milk products in their final delivery containers shall be constructed with permanent tops and with permanent roll-down sides and back, provided that openings of the size necessary to pass the delivery men may be permitted in the sides or back for loading and unloading purposes. All vehicles shall be kept clean, and no substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

The immediate surroundings of the milk plant shall be kept in a neat, clean condition.

**5.15 THE EXAMINATION OF MILK AND MILK PRODUCTS.** Samples of milk and milk products from stores, cafes, soda fountains, restaurants and other places where milk or milk products are sold shall be examined as often as the health officer may require. Bacterial plate counts and direct microscopic counts shall be made in conformity with the latest standard methods recommended by the American Public Health Association. Examination may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration, these examinations to be made in accordance with the latest standard methods of the American Public Health Association and the Association of Official Agricultural Chemists. Samples may be taken by the health officer or his authorized representatives at any time prior to the final delivery of the milk or milk products. All proprietors of stores, cafes, restaurants, soda fountains, and other places shall furnish the health officer or his authorized representative, upon request, with the names of all distributors from whom their milk and milk products are obtained. Bio-assays of Vitamin D content of Vitamin D milk shall be made when required by the health officer in a laboratory approved by him for such examination.

**5.16 TRANSFERRING OR DIPPING MILK.** Except as permitted in this paragraph, no milk producer or distributor shall transfer milk or milk products from one container to another on the street, or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose. The sale of dip milk is hereby prohibited.

**5.17 DELIVERY CONTAINERS.** All pasteurized milk and milk products shall be placed in their final delivery containers in the plant in which they are pasteurized, and all raw milk and milk products sold for consumption in the raw state shall be placed in their final delivery containers on the farm at which they are produced. Milk and milk products sold in the distributor's containers in quantities less than 1 gallon shall be delivered in standard milk bottles or in single-service containers. It shall be unlawful for hotels, soda fountains, restaurants, groceries, and similar establishments to sell or serve any

milk or milk products except in the original container in which it was received from the distributor or from a bulk container equipped with an approved dispensing device; provided, that this requirement shall not apply to cream consumed on the premises, which may be served from the original bottle or from a dispenser approved for such service.

5.171 It shall be unlawful for any hotel, soda fountain, restaurant, grocery or similar establishment to sell or serve any milk or milk products which have not been maintained, while in its possession, at a temperature of 50°F. or less.

5.18 **HANDLING MORE THAN ONE GRADE.** No milk or milk products shall be permitted to come in contact with equipment with which a lower grade of milk or milk products has been in contact unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment.

5.181 Bottled milk or milk products, if stored in water, shall be so stored that the tops of the bottles will not be submerged.

5.182 It shall be the duty of all persons to whom milk or milk products are delivered to clean thoroughly the containers in which such milk or milk products are delivered before returning such containers. Apparatus, containers, equipment, and utensils used in the handling, storage, processing, or transporting of milk or milk products shall not be used for any other purpose without the permission of the health officer.

5.19 **DELIVERY OF MILK AT QUARANTINED RESIDENCES.** The delivery of milk or milk products to and the collection of milk or milk products containers from residences in which cases of communicable diseases transmissible through milk supplies exist shall be subject to the special requirements of the health officer.

5.20 **MILK AND MILK PRODUCTS FROM POINTS BEYOND THE LIMITS OF ROUTINE INSPECTION.** Milk and milk products from points beyond the limits of routine inspection of a municipality, parish or health district may not be sold in the municipality, parish or health district, or its police jurisdiction, unless produced and/or pasteurized under provisions equivalent to the requirements of these regulations; provided, that the health officer having jurisdiction in the area in which the product is being sold, shall satisfy himself that the health officer having jurisdiction over the production and processing is properly enforcing such provisions.

5.21 **DENATURING MISBRANDED PRODUCTS.** The health officer or his authorized representative shall immediately denature with rennet or some harmless coloring matter milk or milk products found misbranded with respect to grading, or sold without a permit.

5.22 **DELIVERY OF SAMPLES.** All persons, firms, or corporations engaged in the production, handling or selling of milk or milk products shall deliver to any representative of the municipality, parish or health district on demand a sample of the milk or milk products in his possession (not to exceed one pint), and any refusal to deliver such

sample in his possession shall be deemed a violation of these regulations. All samples so collected shall be sealed in the presence of the distributor and delivered to the State or local Board of Health.

**5.23 INSANITARY HANDLING OF MILK.** Milk produced and handled under conditions which violate any of the provisions of these regulations shall be considered as produced and handled in an improper, unclean and insanitary manner. Any conditions, or practices, existing or found in operation at a dairy or milk plant which may be judged as immediately dangerous to the public health shall be considered sufficient ground for immediate closure of the dairy or milk plant.

**5.231** No cows shall be fed on any substance in a state of fermentation and putrefaction, swill or unwholesome food. No dairyman shall buy for dairy purposes or bring into his dairy farm any wet, moist, or damp brewery mash, waste or grain nor shall he maintain in his possession in or about the dairy or dairy farm any such wet, moist or damp brewery mash, waste or grain.

**5.24 RATPROOFING.** Where ratproofing regulations are in existence, they shall apply in the construction of buildings in which the production, handling and sale of milk and certain milk products are to be conducted, and which conform to these regulations,

**5.25 FUTURE DAIRIES AND MILK PLANTS.** All dairies and milk plants from which milk or milk products are supplied to a municipality, parish or health district which are hereafter constructed, reconstructed, or extensively altered shall conform in their construction to the requirements of these minimum regulations for dairy farms producing milk for consumption in the raw state, or for pasteurization plants, respectively; Provided, that the requirements of a two-room milk house shall be waived in the case of dairies the milk of which is to be pasteurized. Properly prepared plans for all dairies and milk plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted to the health officer for approval before work is begun. In the case of milk plants signed approval shall be obtained from the health officer and/or the State Board of Health.

**5.26 NOTIFICATION OF DISEASE.** Notice shall be sent to the health officer immediately by any producer or distributor of milk or milk products upon whose dairy farm or in whose milk plant any infectious, contagious, or communicable disease occurs.

**5.27 PROCEDURE WHEN INFECTION SUSPECTED.** When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk or milk products, the health officer is authorized to require any or all of the following measures: (1) The immediate exclusion of that person from milk handling, (2) the immediate exclusion of the milk supply concerned from distribution and use, (3) adequate medical and bacteriological examination of the person or his associates, and of his and their body discharges.

**5.28 MINIMUM REGULATIONS.** The regulations governing the production, handling and sale of milk and certain milk products herein



enacted are adopted under the authority of Act No. 150 of 1910 and Act No. 79 of 1921 as amended by Act No. 296 of 1926 and Act No. 126 of 1928, and represent minimum requirements.

**5.29 LOCAL ORDINANCES.** Parishes and municipalities which wish to secure a better grade of milk may do so through adoption and enforcement of local grading ordinances, provided such ordinances are approved by the State Health Officer. Such ordinances may permit the sale of both Grade A and Grade B milk.

**5.30** In order that grading programs and specifications for grades shall be uniform throughout the State, the following specifications shall apply: 5.31 to 5.382, inclusive.

**5.301** At least once every 6 months the health officer shall announce the grades of all milk and milk products delivered by all producers or distributors and ultimately consumed within his jurisdiction.

**5.3010** In cases where the grade of a milk supply has been lowered by the health officer to Grade C, this grade may be permitted to be carried by the dairy or pasteurization plant, as the case may be, for a period not longer than 30 days. If the grade is not raised to the former higher grade in this period of time, further sale of this milk shall be prohibited, unless labeled and sold for manufacturing purposes only.

**5.302** During each grading period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the health officer or his authorized representative.

**5.303** Whenever the average bacterial count, the average reduction time, or the average cooling temperature falls beyond the limits for the grades as given in these regulations, the health officer shall send written notice thereof to the person concerned, and shall take an additional sample, but not before the lapse of 3 days, for determining a new average in accordance with paragraph 5.0104.

**5.304** Violation of the grade requirement by the new average or by any subsequent average during the remainder of the current grading period shall call for immediate degrading or suspension of the permit, unless the last individual result is within the grade limit.

**5.305** If, at any time between the regular announcements of the grades of milk or certain milk products, a lower grade shall become justified, in accordance with paragraph 5.05 and 5.15 of the regulations, the health officer shall immediately lower the grade of such milk or milk products, and shall enforce proper labeling and placarding thereof.

**5.306** Any producer or distributor of milk or milk products, the grade of which has been lowered by the health officer, and who is properly labeling his milk and milk products, may at any time make application for the regrading of his product.

**5.307** Upon receipt of a satisfactory application, in case the lowered grade is the result of an excessive average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the health



officer or his authorized representative shall take further samples of the applicant's output, at a rate of not more than two samples per week. The health officer shall regrade the milk or certain milk products upward whenever the average of the last four sample results indicates the necessary quality, but not before the lapse of 2 weeks from the date of degrading.

5.308 In case the lowered grade of the applicant's product is due to a violation of an item of the specifications prescribed in paragraph 5.05 other than average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the said application must be accompanied by a statement signed by the applicant to the effect that the violated item of the specifications has been corrected. Within one week of the receipt of such an application and statement, the health officer or his authorized representative shall make a reinspection of the applicant's establishment and thereafter as many additional re-inspections as he may deem necessary to assure himself that the applicant is again complying with the higher grade requirements, and, in case the findings justify, shall regrade the milk or certain milk products upward, but not before a lapse of 2 weeks from the date of degrading.

5.309 The grading of milk products shall be identical with the grading of milk except that the bacterial standards shall be doubled in the case of cream and shall be omitted in the case of sour cream and buttermilk. Vitamin D milk shall be only of Grade "A" or "B" pasteurized, certified, or Grade "A" raw milk quality. Said grades shall be based upon the items of sanitation as set up in paragraphs 5.05 and 5.15, and upon the following bacterial standards:

5.31 **CERTIFIED MILK-RAW** is raw milk which conforms to the requirements of the American Association of Medical Milk Commissions in force at the time of production and is produced under the supervision of a medical milk commission and of the health officer having jurisdiction in municipalities, parishes and health districts.

5.32 **GRADE A RAW MILK** is raw milk the average plate count of which is determined under paragraphs 5.0104 and 5.15 of these regulations does not exceed 50,000 per milliliter, or the average direct microscopic count of which does not exceed 50,000 per milliliter if clumps are counted or 200,000 per milliliter if individual organisms are counted, or the average reduction time of which is not less than 8 hours: Provided, that if the milk is to be pasteurized the average bacterial plate count of which as determined under paragraph 5.0104 and 5.15 of these regulations does not exceed 200,000 per milliliter or the average direct microscopic count of which does not exceed 200,000 per milliliter if clumps are counted or 800,000 per milliliter if individual organisms are counted, or the average reduction time of which is not less than 6 hours; and which is produced upon dairy farms conforming to all the items of sanitation.

5.33 **GRADE B RAW MILK** is raw milk which does not conform to the bacterial standards and/or the abortion testing requirement of Grade A raw milk, but which conforms with all other requirements for Grade A raw milk, and has an average bacterial plate count not exceeding 1,000,000 per milliliter, or an average direct microscopic count

not exceeding 1,000,000 per milliliter if clumps are counted or 4,000,000 per milliliter if individual organisms are counted, or an average reduction time of not less than 3½ hours, as determined under paragraphs 5.0104 and 5.15 of these regulations.

**5.34 GRADE C RAW MILK** is raw milk which does not conform to any of the requirements for Grade B raw milk.

**5.341 STANDARD RAW MILK** shall be taken to mean raw milk which has been produced and handled in conformity with the minimum requirements of these regulations for raw milk.

**5.35 CERTIFIED MILK-PASTEURIZED** is certified milk - raw which has been pasteurized, cooled, and bottled in a milk plant conforming to the requirements for Grade A pasteurized milk.

**5.36 GRADE A PASTEURIZED MILK** is Grade A raw milk, with such exceptions as are indicated if the milk is to be pasteurized, which has been pasteurized, cooled, and bottled in a milk plant conforming to all the items of sanitation and the average bacterial plate count of which at no time after pasteurization and until delivery exceeds 30,000 per milliliter, as determined under paragraphs 5.0104 and 5.15.

**5.37 GRADE B PASTEURIZED MILK** is pasteurized milk which violates the bacterial standard for Grade A pasteurized milk and/or the provision of lip-cover caps of paragraph 5.12 and/or the requirement that Grade A raw milk be used, but which conforms to all other requirements for Grade A pasteurized milk, has been made from raw milk of not less than Grade B quality, and has an average bacterial plate count after pasteurization and before delivery not exceeding 50,000 per milliliter, as determined under paragraphs 5.0104 and 5.15.

**5.38 GRADE C PASTEURIZED MILK** is pasteurized milk which violates any of the requirements for Grade B pasteurized milk.

**5.381 STANDARD PASTEURIZED MILK** shall be taken to mean pasteurized milk which has been produced, pasteurized, bottled and handled in conformity with the minimum requirements of these regulations for pasteurized milk.

**5.382** The presence of bacteria in excess of the standards, or a reduction time of less than that required for the various grades of milk, as defined in these regulations, shall be considered evidence of the existence of insanitary conditions, or of insanitary methods of producing and handling milk, or a lack of proper cooling of the milk, or both.

## **5.39 FROZEN DESSERTS REGULATIONS.**

**5.3901 DEFINITIONS.** The following definitions shall apply in the interpretation and the enforcement of these regulations:

**5.3902 FROZEN DESSERTS.** A frozen dessert is any clean frozen or partially frozen combination of two or more of the following: milk or milk products, eggs or egg products, sugars, water, fruit or fruit juices, citric acid, candy, nut meats, or other harmless and wholesome food products, flavors, color, or harmless stabilizer; and shall be deemed

to include ice cream, fruit ice cream, nut ice cream, ice cream mix, frozen custard, ice milk, milk shrebert, ices or ice sherbert, frozen malt or frosted malt, imitation ice cream and other similar products.

**5.39021** The following optional saccharine ingredients may be used in the manufacture of frozen desserts: (1) sugar, (2) dextrose, (3) invert sugar syrup, (4) corn syrup, dried corn syrup, (5) maple syrup, maple sugar, (6) honey, (7) brown sugar and (8) molasses.

**5.39022** The use of saccharin is prohibited.

**5.3903 ICE CREAM** is a frozen dessert product made from a combination of two or more of the following ingredients: milk or milk products, eggs, egg products, water and sugar with harmless flavoring and with or without harmless coloring, and with or without added stabilizer. It shall contain not less than ten (10%) per cent milk fat and not less than twenty (20%) percent total milk solids, nor more than one (1%) percent of harmless fillers or binders, except that when ingredients of ice cream include eggs, fruit or fruit juices, cake, confection, cocoa or chocolate, or nuts, used for the purpose of flavoring, such reduction of the percentage of milk fat and milk solids not fat as may be due to the addition of such ingredient shall be allowed. The finished ice cream shall contain not less than 1.6 pounds of total food solids to the gallon, and shall weigh not less than 4.5 pounds per gallon.

**5.3904 FRUIT ICE CREAM** is a frozen dessert product made from the constituent parts of milk or milk products, and with or without the addition of sugars, harmless binders or flavorings, and sound, clean, mature fruits, and fruit juices, and shall contain not less than eight (8%) percent butter fat, nor less than eighteen (18%) percent total milk solids, nor more than one (1%) percent harmless fillers and binders. The finished product shall in no case contain less than 1.6 pounds of total food solids to the gallon, and shall weigh not less than 4.5 pounds per gallon.

**5.3905 NUT ICE CREAM** is a frozen dessert product made from the constituent parts of milk or milk products, and with or without the addition of sugars, harmless fillers and binders, or flavorings and sound, clean, non-rancid nut meats, and shall contain not less than eight (8%) per cent butter fat, nor less than eighteen (18%) per cent total milk solids, nor more than one (1%) per cent of harmless filler or binder. The finished product shall in no case contain less than 1.6 pounds of total food solids to the gallon and shall weigh not less than 4.5 pound per gallon.

**5.3906 ICE CREAM MIX** is the unfrozen product which results from the mixture of pure clean dairy products, sugar and other products allowed in the manufacture of ice cream, with or without harmless flavoring and coloring. In no case shall ice cream mix contain less than ten (10%) per cent by weight of milk fat, or less than twenty (20%) per cent by weight of total milk solids; except when fruits, nuts, cocoa or chocolate, cake or confections are used for the purpose of flavoring, it shall contain not less than eight (8%) per cent by weight of milk fat and not less than eighteen (18%) percent by weight of total milk solids.



**5.3907 FROZEN CUSTARD** is French ice cream, French custard ice cream, ice custard, parfaits and similar frozen dessert products. Frozen custard is a clean, wholesome, frozen dessert made from a cooked combination of two or more of the following ingredients: Milk or milk products, eggs, water and sugar, with harmless flavorings and coloring and with or without added harmless stabilizers. It contains not more than one (1%) per cent by weight of stabilizer, not less than six (6%) per cent by weight of milk fat, and not less than fourteen (14%) per cent by weight of total milk solids. Frozen custard shall contain not less than two and one-half dozen of clean, wholesome egg yolks, or three-fourths pounds of wholesome dry egg yolks, containing not to exceed seven (7%) per cent of moisture, or one and one-half pounds of wholesome frozen egg yolk containing not to exceed fifty-five (55%) per cent of moisture, or the equivalent of egg yolk in any other form, for each ninety (90) pounds of frozen custard. The finished product shall in no case contain less than 1.6 pounds of total food solids to the gallon and shall weigh not less than 4.5 pounds per gallon.

**5.3908 ICE MILK** is the clean, frozen dessert product made from a combination of two or more of the following ingredients: Milk or milk products, eggs, water and sugar with harmless coloring and flavoring and with or without added stabilizer composed of harmless material. It contains not more than one (1%) per cent by weight of stabilizers, not less than three and one-half (3.5%) per cent and not more than ten (10%) per cent by weight of milk fat, and not less than fourteen (14%) per cent by weight of total milk solids. In no case shall the finished product contain less than 1.3 pounds of total food solids per gallon and shall weigh not less than 4.5 pounds per gallon.

**5.3909 MILK SHERBERT** is the clean frozen dessert product made from milk or milk products, water and sugar, with harmless fruit or fruit juice flavoring and with or without harmless coloring, with or without added citric acid, and with or without added harmless stabilizers. It contains not less than 3.5% and not more than ten (10%) per cent by weight of milk fat. It contains not less than four (4%) per cent by weight of milk solids and shall weight not less than 6 pounds per gallon.

**5.3910 ICES or ICE SHERBERT** is the clean, frozen dessert product made from water and sugar with harmless fruit or fruit juice flavoring, with or without harmless coloring, with or without milk or milk products, with or without added citric acid, and with or without added harmless stabilizers. It contains less than four (4%) per cent by weight of milk solids. The finished product shall weight not less than 6 pounds per gallon.

**5.3911 FROZEN MALT or FROSTED MALT** is the clean, semi-frozen or frozen dessert product made from the combination of milk or milk products, malted milk and one or more of the following ingredients: eggs, sugar, dextrose, and honey, with or without flavoring and coloring and with or without harmless gelatin or vegetable stabilizers; and in the manufacture of which 'freezing has been accompanied by agitation of the ingredients. It contains not more than one (1%) per cent



by weight of harmless gelatin or vegetable stabilizer, nor less than three and one-half (3.5%) per cent by weight of milk fat, nor more than ten (10%) per cent by weight of total milk solids, and not less than one (1%) per cent by weight of malted milk concentrate. The finished product shall weigh not less than 1.3 pounds of total food solids per gallon, and it shall weigh not less than 4.5 pounds per gallon.

**5.3912 IMITATION ICE CREAM** is any frozen substance, mixture or compound regardless of the name under which it is represented, which is made in imitation or semblance of ice cream, or is prepared or frozen as ice cream is customarily prepared or frozen, and which is not ice cream, frozen custard, ice milk, frozen or frosted malt, milk sherbert, and ices or ice sherbert as defined in these regulations. The sale of imitation ice cream is prohibited.

**5.3913 MILK and MILK PRODUCTS** used in any frozen dessert mix or frozen dessert shall include milk, cream, frozen cream, plastic cream, fluid skim milk, butter, sweetened and unsweetened evaporated milk, sweetened and unsweetened evaporated skim milk, sweetened and unsweetened condensed milk, sweetened and unsweetened condensed skim milk, dry powered whole milk, dry powered skim milk, sweet cream buttermilk, sweet cream condensed buttermilk, and dry sweet cream powdered buttermilk, or any of these products from which lactose has been wholly or partially removed.

**5.3914 PASTEURIZATION.** The terms "pasteurization," "pasteurized," and similar terms, shall be taken to refer to the process of heating every particle of mix to at least 155°F. and holding at such temperature for at least 30 minutes in approved and properly operated equipment; provided, that nothing contained in this definition shall be construed as disbaring any other process which has been demonstrated to be equally efficient and is approved by the State health authority.

**5.3915 FROZEN DESSERTS PLANT.** A frozen desserts plant is hereby defined as any place or premises where frozen desserts or ice cream mix are manufactured, processed, or frozen for distribution or sale.

**5.3916 FROZEN DESSERTS MANUFACTURER.** A frozen desserts manufacturer is any person who manufactures, processes or freezes any frozen dessert mix or frozen desserts for distribution or sale.

**5.3917 MILK PRODUCTS PLANT.** A milk products plant shall mean any place or premises where milk or milk products are skimmed, condensed, evaporated, powdered, manufactured into butter, or otherwise processed for subsequent use in the manufacture of mix or frozen desserts.

**5.3918 RECEIVING STATIONS.** A receiving station shall mean any place or premises where milk or milk products are received for subsequent delivery to milk products plants or frozen desserts plants.

**5.3919 DAIRY FARM.** Same as paragraph 5.0107.

**5.3920 HEALTH OFFICER.** Same as paragraph 5.0111.

**5.3921 AVERAGE BACTERIAL PLATE COUNT, DIRECT MICROSCOPIC COUNT, REDUCTION TIME, and COOLING TEMPERATURE.** Average bacterial plate count and average direct microscopic count shall be taken to mean the logarithmic average of the respective results of tests of the last four consecutive samples, taken upon separate days; and average reduction time and average cooling temperature shall be taken to mean the arithmetic average of the respective results of tests of the last four consecutive samples, taken upon separate days.

**5.3922 ADULTERATED OR MISBRANDED FROZEN DESSERTS OR MIX.** Any frozen dessert or dessert mix which contains any unwholesome substance or which has been produced, processed, packed, transported or held under insanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered injurious to health, or which if defined in these regulations does not conform to its definition, shall be deemed adulterated. Any frozen dessert or frozen dessert mix which is not properly labeled in compliance with Section 4 Act 142 of 1936, shall be deemed misbranded.

**5.3923 PERSON.** Same as Paragraph 5.0123.

**5.3924 AND/OR.** Same as Paragraph 5.0103.

**5.3925 OVERFLOW OR SPILLAGE.** Overflow or spilled frozen desserts or frozen dessert mix or their ingredients, are those which have come in contact with the floor or with containers or equipment surfaces that have not received bactericidal treatment or have not been safeguarded after treatment, thus exposing the frozen desserts or frozen dessert mix to contamination.

#### **5.40 THE SALE PROHIBITED OF MIX OR FROZEN DESSERT WHICH IS ADULTERATED OR MISBRANDED.**

No person shall, within a municipality, parish or health district within the State of Louisiana, manufacture, freeze, sell, offer or expose for sale, or have in possession with intent to sell, any frozen dessert mix or frozen dessert which is adulterated or misbranded.

**5.41 PERMITS.** It shall be unlawful for any person who does not possess a permit from the health officer of the municipality, parish or health district within whose jurisdiction the establishment to which the permit should apply, to deliver directly or indirectly into, or receive into, a municipality, parish or health district or its police jurisdiction for sale, or to mix, produce, sell or offer for sale therein, or to have in storage where mix or frozen desserts are sold or served, any mix or frozen dessert.

**5.4101** Only a person whose establishment is operated in compliance with the requirements of these regulations shall be entitled to receive and retain such a permit.

**5.4102** Such a permit may be suspended by the health officer, or revoked after an opportunity for a hearing by the health officer, upon the violation of any of the terms of these regulations by the holder.

**5.42 LABELING.** All cans, packages, and other containers enclosing frozen dessert mix or frozen desserts, except those filled from labeled bulk containers in retail dispensing, shall be labeled or marked

with (1) the name of the contents; (2) in the case of mix the word "pasteurized" if the contents have been pasteurized, and the word "raw" if the contents have not been pasteurized; and (3) the name and the street address, or the permit number, of the plant at which the contents were placed in the container; (4) a statement of the quantity of contents in terms of volume, etc. The name of the contents shall include any descriptive word or phrase necessary to indicate the composition or flavoring of the mix or frozen dessert; for example, strawberry, chocolate, custard, lemon, etc. The label or mark shall be in letters of a size, kind and color approved by the health officer. Trade names and trade marks may be permitted. The label shall contain no marks or words which are misleading.

**5.43 INSPECTION OF FROZEN DESSERTS PLANTS.** At least once every six months or as often as he may deem necessary, the health officer or his authorized representative shall inspect all frozen desserts plants, the products of which are intended for consumption within a municipality, parish or health district. In case the health officer or his authorized representative discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of 3 days, and the second inspection shall be used in determining compliance with the requirements of these regulations. Any violation of the same item of these regulations on two consecutive inspections shall call for immediate suspension of permit. One copy of the inspection report shall be delivered to the owner of the premises inspected, or his agent, and shall be readily available at any time for a period of 12 months. Another copy of the inspection report shall be filed with the records of the health department.

**5.4301 MINIMUM REQUIREMENTS.** The following minimum requirements must be complied with by frozen desserts plants within a municipality, parish or health district in the State of Louisiana:

**5.4302 FLOORS.** The floors of all rooms in which frozen dessert mix, frozen desserts, or their ingredients are manufactured, frozen or stored, or in which containers and utensils are washed, shall be constructed of concrete or other equally impervious and easily cleaned material, and shall be smooth, properly drained, provided with trapped drains, and kept clean. Provided, that cold storage rooms need not be provided with drains. Provided further, that the construction requirements of this item shall be waived in frozen desserts plants which freeze and sell only at retail on the premises, if the portion of the room in which the freezer is installed and the room in which containers or utensils are washed have impervious floors or solid floors covered with tight linoleum or other approved, washable materials.

**5.4303 WALLS AND CEILINGS.** Same as Paragraph 5.072.

**5.4304 DOORS AND WINDOWS.** Same as Paragraph 5.073.

**5.4305 LIGHTING AND VENTILATION.** Same as Paragraph 5.074.

**5.4306 MISCELLANEOUS PROTECTION FROM CONTAMINATION.** The various plant operations shall be so located and conducted as to prevent any contamination of the frozen dessert mix, frozen desserts, their ingredients, cleaned equipment, or containers. All means



necessary for the elimination of flies shall be used. Separate rooms shall be provided for (a) the pasteurizing, processing, cooling, freezing, and packaging operations, and (b) the washing and bactericidal treatment of containers. Provided, that requirement (a) shall be satisfied in frozen desserts plants which use a counter freezer and which freeze and sell only at retail on the premises, if all mixing, freezing, and packaging processes, but not necessarily the hardening and storage compartments, are enclosed in a tight glass or other sanitary enclosure which is open only on the side farthest from the public, which has a dust-tight top extending over the entire freezer, and which is protected by a fan so installed and of such power as to prevent the entrance of flies. Containers of frozen desserts ingredients shall not be unloaded directly into the room or rooms used for pasteurization or subsequent processes. Pasteurized mix or frozen desserts shall not be permitted to come in contact with equipment with which unpasteurized mix, frozen desserts, milk, or milk products have been in contact, unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment. None of the operations connected with a frozen desserts plant shall be conducted in a room used for domestic purposes.

5.4307 TOILET FACILITIES. Same as Paragraph 5.076.

5.4308 WATER SUPPLY. Same as Paragraph 5.077.

5.4309 HAND-WASHING FACILITIES. Same as Paragraph 5.078.

5.4310 SANITARY PIPING in frozen desserts plants, same as Paragraph 5.079.

5.4311 CONSTRUCTION AND REPAIR OF CONTAINERS AND EQUIPMENT in frozen dessert plants, same as Paragraph 5.0710.

5.4312 DISPOSAL OF WASTES. Same as Paragraph 5.0711.

5.4313 CLEANING AND BACTERICIDAL TREATMENT OF CONTAINERS AND EQUIPMENT in frozen desserts plants, same as Paragraph 5.0712.

5.4314 STORAGE OF CONTAINERS in frozen dessert plants, same as Paragraph 5.0713.

5.4315 HANDLING OF CONTAINERS AND EQUIPMENT in frozen desserts plants, same as Paragraph 5.0714.

5.4316 STORAGE AND HANDLING OF SINGLE-SERVICE CONTAINERS AND UTENSILS. Caps, parchment papers, wrappers, can liners, and single-service sticks, spoons, and containers for frozen desserts, frozen dessert mix, or their ingredients, shall be purchased only in sanitary containers, shall be kept therein in a clean, dry place, and shall be handled in a sanitary manner.

5.44 PASTEURIZATION OF MIX. All frozen dessert mix shall be pasteurized as described in Paragraph 5.3914.

5.45 COOLING AND HANDLING. All milk and fluid milk products received at the frozen desserts plants for use in frozen desserts or frozen dessert mix shall immediately be cooled in approved equipment to 50°F. or less, and maintained at that temperature until pasteurized,

unless they are to be pasteurized within 2 hours after receipt; and all pasteurized milk shall immediately be cooled in approved equipment to an average temperature of 50°F. or less, as defined in these regulations, and maintained thereat until frozen. All frozen dessert mix which is not frozen at the plant at which it was pasteurized shall be transported to the place of manufacture or freezing in sealed containers, and the frozen dessert mix shall be handled in a sanitary manner. Dipping from containers of pasteurized mix is prohibited.

**5.46 PACKAGING.** Packaging, cutting, molding, dipping, and other preparation of frozen dessert mix or frozen desserts or their ingredients shall be done in an approved manner. Containers shall be adequately covered immediately after filling. Caps or covers shall be handled in such manner as to prevent contamination of the package contents.

**5.47 OVERFLOW OR SPILLAGE.** Product drip, or overflow or spilled mix or frozen desserts or their ingredients shall not be sold for human consumption.

**5.48 RETURNS.** Frozen dessert mix or frozen desserts in broken and open containers may after delivery be returned to the plant for inspection, but shall not be reused for making mix or frozen desserts.

**5.49 PERSONNEL—HEALTH** of plant employees, same as Paragraph 5.13.

**5.491 PERSONAL—CLEANLINESS** of plant employees, same as Paragraph 5.131.

**5.50 MISCELLANEOUS.** All vehicles used for the transportation of frozen dessert mix or frozen desserts or their ingredients shall be so constructed and operated as to protect their contents from the sun and from contamination. Such vehicles shall be kept clean, and no substance capable of contaminating the frozen dessert mix or frozen desserts or their ingredients shall be transported therewith in such manner as to permit contamination. All vehicles used for the distribution of frozen dessert mix or frozen desserts shall have the name of the distributor prominently displayed thereon.

**5.501** The immediate surroundings of all frozen desserts plants shall be kept in a neat, clean condition.

**5.51 THE EXAMINATION OF FROZEN DESSERTS AND THEIR INGREDIENTS.** Samples of frozen dessert mix or frozen desserts may be taken by the health officer or his authorized representative at any time prior to final delivery. Samples of ingredients may be tested as often as the health officer may require. Samples of frozen desserts from stores, cafes, soda fountains, restaurants, and other places where frozen desserts are sold, may be tested as often as the health officer may require. Bacterial plate counts and direct microscopic counts shall be made in conformity with the standard methods recommended by the American Public Health Association. Examination may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration, these examinations to be made in conformity with the standard methods of the American Public Health Association and the Association of Official Agricultural

Chemists. All proprietors of plants, stores, cafes, restaurants, soda fountains, and other similar places shall furnish the health officer, upon his request, the names of all persons from whom their frozen dessert mix or frozen desserts are obtained.

**5.52 TRANSFERRING AND DISPENSING FROZEN DESSERTS.** No person shall transfer frozen desserts from one container to another, or package the same on the street or in any vehicle or in any place except a sanitary room provided for this purpose and approved by the health officer.

**5.53 FROZEN DESSERT MIX AND FROZEN DESSERTS FROM POINTS BEYOND THE LIMITS OF ROUTINE INSPECTION.** Frozen dessert mix and frozen desserts from points beyond the limits of routine inspection of a municipality, parish or health district may not be sold in the municipality, parish or health district or its police jurisdiction, unless controlled under provisions equivalent to the requirements of these regulations. Provided, that the health officer shall satisfy himself that the health officer having jurisdiction over the manufacture of frozen desserts is properly enforcing such provisions.

**5.54 DELIVERY OF SAMPLES** of frozen dessert products by manufacturers to the health officer, same as Paragraph 5.22.

**5.55 INSANITARY HANDLING OF FROZEN DESSERTS AND FROZEN DESSERT ICE CREAM MIX.** Frozen desserts and frozen dessert ice cream mix handled under conditions which violate any of the provisions of these regulations shall be considered as handled in an improper, unclean and insanitary manner. Any conditions, or practices, existing or found in operation at a frozen desserts plant which may be judged as immediately dangerous to the public health shall be considered sufficient ground for closure of the plant, until such conditions have been corrected or eliminated.

**5.56 RATPROOFING.** Same as Paragraph 5.24.

**5.57. FUTURE FROZEN DESSERTS PLANTS.** All frozen desserts plants from which frozen dessert mix or frozen desserts are supplied to a municipality, parish or health district, which are hereafter constructed, reconstructed, or extensively altered, shall conform in their construction to the requirements of these regulations. Properly prepared plans for all frozen desserts plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted for approval before work is begun, and signed approval shall be obtained from the health officer and/or the State health department.

**5.58 NOTIFICATION OF DISEASE** of frozen desserts plant employees, same as Paragraph 5.26.

**5.59 PROCEDURE WHEN INFECTION SUSPECTED** in a frozen desserts plant, same as Paragraph 5.27.

**5.60 SUSPENSION AND REISSUING OF PERMITS.** In order that frozen dessert regulations shall be uniform throughout the State, the following specifications are prescribed:



5.601 At least once every 6 months the health officer or his authorized representative shall collect for analysis at least four samples of frozen desserts and pasteurized mix from each plant selling frozen desserts within his jurisdiction.

5.602 Whenever the average bacterial plate count, the average reduction time, or the average cooling temperature falls beyond the limit specified in these regulations, the health officer shall send written notice thereof to the plant concerned, and shall take an additional sample, but not before the lapse of three days, for determining a new average in accordance with paragraph 5.3921. Violation of the requirements by the new average or by any subsequent average during the remainder of the current six months period shall call for immediate suspension of the permit, unless the last individual result is within the limit of these specifications.

5.603 If at any time a suspension of the permit shall become justified in any case, the health officer shall, subject to the provisions of Paragraphs 5.41, 5.43 to 5.51, inclusive, of these regulations, immediately suspend the permit of said frozen desserts plant.

5.604 Any frozen desserts plant the permit of which has been suspended by the health officer may at any time make application for the reissuing of the permit.

5.605 Upon receipt of a satisfactory application, in case the suspension of permit is the result of an unsatisfactory bacterial condition or cooling temperature, the health officer shall take further samples at the rate of not more than two samples per week. The health officer shall reissue the permit whenever the average result of the last four samples indicates the necessary compliance.

5.606 In case the suspension of permit is due to the violation of any item or items of the specifications prescribed in Paragraphs 5.43 to 5.51, inclusive, other than bacterial condition or cooling temperature, the said application must be accompanied by a statement signed by the applicant to the effect that the violated item or items of the specifications have been conformed with. Within one week of the receipt of such an application and statement the health officer shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reissue the permit.

**5.61 BACTERIAL PLATE COUNT OF PASTEURIZED MIX OR FROZEN DESSERTS.** The average bacterial plate count of the pasteurized mix or of frozen desserts shall at no time prior to delivery exceed 50,000 per gram, as determined under Paragraphs 5.3921 and 5.51.

**5.62 INGREDIENTS.** All frozen dessert mix and frozen desserts ingredients derived from milk shall be clean, have a fresh, wholesome flavor and odor and a normal appearance, be of satisfactory quality, and be handled or processed in an approved manner.

5.621 Milk and milk products used as ingredients in the raw state shall have an average bacterial plate count not exceeding 200,000

per milliliter or per gram, or an average direct microscopic count not exceeding 200,000 per milliliter or per gram if clumps are counted, or 800,000 per milliliter if individual organisms are counted, or an average reduction time of not less than 6 hours, as determined under Paragraphs 5.3921 and 5.51, and milk and milk products used as ingredients in the pasteurized, condensed, evaporated, or dried state shall have an average bacterial plate count not exceeding 50,000 per milliliter or per gram; provided, that these limits shall be doubled in the case of cream.

**5.63 FROZEN DESSERTS PLANTS WHICH MAY SELL THEIR PRODUCTS.** From and after the date on which these regulations take effect, no frozen dessert mix or frozen desserts shall be sold for ultimate consumption within a municipality, parish or health district or its police jurisdiction, unless it has been manufactured and frozen in a plant conforming to the requirements of these regulations; provided, that when any frozen desserts plant fails to qualify, the health officer is authorized to revoke the permit.

**5.64 BUTTER, CHEESE AND OTHER MILK PRODUCTS REGULATIONS.**

**5.6401 DEFINITIONS.** The following definitions shall apply in the interpretation of these regulations:

**5.6402 BUTTER** is the clean, sound, food product made by gathering, in any manner, the fat of fresh or ripened milk, or cream, into a mass which also includes a small portion of other constituents natural to milk, with or without common salt, with or without additional harmless food coloring, and which contains in the finished product not less than 80 per cent by weight of milk fat, or tolerances having been allowed for.

**5.6403 RENOVATED BUTTER OR PROCESSED BUTTER** is the product made by melting and reworking butter, without the addition or use of chemicals or any substances except milk or cream, with or without salt and with or without additional harmless food coloring. It contains in the finished product not more than sixteen (16%) per cent of water and not less than eighty (80%) per cent by weight of milk fat, all tolerances having been allowed for.

**5.6404 CREAMERY BUTTER** shall be considered to mean butter manufactured in a butter plant or creamery, and shall conform to the definition of butter as given in paragraph 5.6402.

**5.6405 COUNTRY BUTTER** shall be considered to mean butter manufactured at a dairy farm or establishment other than a regular butter manufacturing plant or creamery, and shall conform to the definition of butter as given in paragraph 5.6402. No country butter shall be offered for sale except that which is manufactured in a room or establishment that meets the following requirements: Adequate lighting facilities, doors and windows effectively screened, having no direct opening into stable or living quarters, impervious floors, proper equipment for cleaning and sterilizing utensils, adequate water heating facilities, hand washing facilities, and room and equipment kept clean. Country butter shall be labeled or marked in compliance with paragraph 5.67.

5.6406 CHEESE is the product made from the separated curd obtained by coagulating the casein of milk, skimmed milk, or milk enriched with cream. The coagulation may be accomplished (1) by means of rennet or other suitable enzyme, (2) by lactic fermentation, or by a combination of the two. The curd may be modified by heat, pressure, ripening ferments, special molds, or suitable seasoning. Certain varieties of cheese are made from the milk of animals other than the cow. These regulations apply to all cheese made from the milk of any animal, but where milk of animals other than the cow is used the cheese shall be so labeled, unless it is a variety of cheese made only from the milk of a certain animal and that fact is known

and accepted by the consuming public. Any cheese defined in these regulations may contain added harmless food coloring. The name "Cheese" unqualified means Cheddar Cheese (American Cheese, American Cheddar Cheese).

5.6407 CHEDDAR CHEESE, AMERICAN CHEESE, AMERICAN CHEDDAR CHEESE is cheese made by the Cheddar process from heated and pressed curd obtained by the action of rennet on milk. It contains not more than thirty-nine (39%) per cent of water and, in the water-free substance, not less than fifty (50%) per cent of milk fat. Cheddar Cheese obtains its name from a special cutting and handling process.

5.6408 CREAM CHEESE is the unripened cheese made from whole milk enriched with cream. It contains, in the water-free substance, not less than sixty-five (65%) per cent of milk fat. After the milk has coagulated the whole is dumped upon a rack to drain, and the curd frequently stirred to facilitate removal of the whey. Salt is added to taste.

5.6409 COTTAGE CHEESE is the unripened cheese made from heated or unheated separated curd obtained by the action of lactic fermentation or rennet, or a combination of the two, or skimmed milk, with or without the addition of buttermilk. The drained curd may be enriched with cream and salted or otherwise seasoned. Cottage cheese of the best texture contains 70% to 75% of moisture.

5.6410 PASTEURIZED CHEESE — PASTEURIZED BLENDED CHEESE is the pasteurized cheese product made by comminuting and mixing, with the aid of heat and water, one or more lots of cheese into a homogenous plastic mass. The unqualified name "Pasteurized Cheese," "Pasteurized-blended Cheese" is understood to mean pasteurized Cheddar Cheese, pasteurized-blended Cheddar Cheese, and applies to a product which conforms to the standard of Cheddar Cheese. Pasteurized cheese, pasteurized-blended cheese, bearing a varietal name, is made from cheese of the variety indicated by the name and conforms to the limits for fat and moisture for cheese of that variety.

5.6411 PROCESS CHEESE is the modified cheese made by comminuting and mixing one or more lots of cheese into a homogenous plastic mass, with the aid of heat, with or without the addition of water, and with the incorporation of not more than three (3%) per cent of a suitable emulsifying agent. The name "process cheese" un-



qualified is understood to mean Cheddar Cheese, and applies to a product which contains not more than forty (40%) per cent of water and, in the water-free substance, not less than fifty (50%) per cent of milk fat. Process cheese, qualified by a varietal name, is made from cheese of the variety indicated by the name and conforms to the limits for fat and moisture for cheese of that variety.

5.6412 **SKIMMED MILK CHEESE** is cheese made from skimmed milk and the finished product contains less than fifty (50%) per cent of butterfat based on the moisture free substance or contains more than thirty-nine (39%) per cent moisture.

5.6413 **SPECIAL CHEESES.** There are a number of varietal cheeses on the market with names fixed by trade custom, by special processes of manufacture, or by location of manufacture. The use of such names on cheese, unless processed or manufactured according to special trade custom, process of manufacture, or location of manufacture, is prohibited. The following definitions shall apply to the Special Cheeses:

5.6413-A **Stilton Cheese** is cheese made by the Stilton process from unpressed curd obtained by the action of rennet on whole milk, with or without added cream, and which otherwise conforms to the definition of cheese. During the ripening process a special blue-green mold develops, and the cheese thus acquires a marbled or mottled appearance in section.

5.6413-B **Neufchatel Cheese** is cheese made by the Neufchatel process from unheated curd obtained by the combined action of lactic fermentation and rennet on whole milk, and which otherwise conforms to the definition of cheese. The curd, drained by gravity and light pressure, is kneaded or worked into a butter-like consistency and pressed into forms for immediate consumption or for ripening. The finished cheese contains, in the water-free substance, not less than fifty (50%) per cent of milk fat.

5.6413-C **Roquefort Cheese** is cheese made by the Roquefort process from unheated, unpressed curd obtained by the action of rennet on the whole milk of sheep, with or without the addition of a small proportion of the milk of goats, and which otherwise conforms to the definition of cheese. The curd is inoculated with a special mold (*Penicillium roqueforti*) and ripens with the growth of the mold. The fully ripened cheese is friable and has a mottled or marbled appearance in section.

5.6413-D **Gorgonzola Cheese** is cheese made by the Gorgonzola process from curd obtained by the action of rennet on whole milk, and which otherwise conforms to the definition of cheese. The cheese is ripened in a cool, moist atmosphere conducive to the development of an inoculated blue-green mold and thus acquires a mottled or marbled appearance in section.

5.6413-E **Edam Cheese** is cheese made by the Edam process from heated and pressed curd obtained by the action of rennet on whole milk or on partly skimmed milk, and which otherwise conforms to

the definition of cheese. It is commonly made in spherical form and coated with a suitable oil and harmless red food coloring.

**5.6413-F Swiss Cheese** is cheese made by the Emmenthaler process from heated and pressed curd obtained by the action of rennet on whole milk or on partly skimmed milk; and which otherwise conforms to the definition of cheese. It is inoculated with special gas-producing bacteria which, as the cheese ripens, causes the formation of "eyes" or holes. The finished cheese contains, in the water-free substance, not less than forty-five (45%) per cent of milk fat.

**5.6413-G Camembert Cheese** is cheese made by the Camembert process from unheated, unpressed curd obtained by the action of rennet on whole milk or on a slightly skimmed milk, and which otherwise conforms to the definition of cheese. As it ripens, a growth of special mold (*Penicillium camemberti*) develops on the outer surface. The finished cheese contains, in the water-free substance, not less than forty-five (45%) per cent of milk fat.

**5.6413-H Limburger Cheese** is cheese made by the Limburger process from unpressed curd obtained by the action of rennet on whole milk. The curd is ripened in a damp atmosphere by a special fermentation process. The finished cheese contains, in the water-free substance, not less than fifty (50%) per cent of milk fat and otherwise conforms to the definition of cheese.

**5.6414 CASEIN** is that solid or semi-solid material obtained from skimmed milk or buttermilk by precipitation of the milk solids by the addition of acids or whey. The casein may be subsequently washed, ground and dried.

**5.6415 WHEY** is the liquid or semi-liquid material remaining after the removal of fat and casein from milk or cream in the process of cheese making.

**5.6416 SOUR CREAM.** Same as Paragraph 5.0106.

**5.6417 SWEET CREAM** for manufacturing butter shall consist of fresh, clean cream of good flavor, the acidity of which does not exceed two-tenths (.2%) of 1 per cent, expressed as lactic acid.

**5.6418 CONDENSED MILK, EVAPORATED MILK OR CONCENTRATED MILK** is the food product obtained by the evaporation of a considerable portion of the water from whole, fresh, clean milk, and contains, all tolerances being allowed for, not less than twenty-five and five-tenths (25.5%) per cent of total milk solids and not less than seven and nine-tenths (7.9%) per cent of milk fat.

**5.6419 SWEETENED CONDENSED MILK, SWEETENED EVAPORATED MILK OR SWEETENED CONCENTRATED MILK** is the food product obtained by the evaporation of a considerable portion of the water from whole, fresh, clean milk, to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than twenty-eight (28%) per cent of total milk solids, and not less than eight (8%) per cent of milk fat.

**5.6420 CONDENSED SKIMMED MILK, EVAPORATED SKIMMED MILK, CONCENTRATED SKIMMED MILK** is the food product obtained by the evaporation of a considerable portion of the water from fresh, clean skimmed milk, and contains, all tolerances being allowed for, not less than twenty (20%) per cent of total milk solids.

**5.6421 SWEETENED CONDENSED SKIMMED MILK, SWEETENED EVAPORATED SKIMMED MILK, SWEETENED CONCENTRATED SKIMMED MILK** is the food product obtained by the evaporation of a considerable portion of the water from fresh, clean skimmed milk to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than twenty-eight (28%) per cent of total milk solids.

**5.6422 DRIED WHOLE MILK OR POWDERED WHOLE MILK** is the food product obtained by the removal of water from whole fresh, clean milk. It contains not less than twenty-six (26%) per cent of milk fat, and not more than five (5%) per cent of moisture.

**5.6423 DRIED SKIMMED MILK OR POWDERED SKIMMED MILK** is the food product obtained by the removal of water from fresh, clean skimmed milk. It contains not more than five (5%) per cent of moisture.

**5.6424 FILLED MILK OR IMITATION MILK** means any milk or milk products or any combination of milk, cream, or skimmed milk products in which some fat or oil, other than milk fat, has been substituted for the natural butterfat of the milk, thus producing a product which resembles milk or milk products; provided, that this definition shall not include any distinctive proprietary food compound not readily mistaken for milk or cream or for condensed, evaporated, concentrated, powdered, dried or desiccated milk or cream, if such compound (1) is prepared and designed for the feeding of infants or young children, sick or infirm persons, and customarily used on the order of a physician; (2) is packed in individual containers bearing a label in bold type that the contents are to be used for said purposes, and, provided further, that nothing in this definition shall be held or construed to prevent the use, blending or compounding of chocolate as a flavor with milk, cream or skimmed milk to which or with which no other fats or oils have been added, blended or compounded.

**5.6425 BUTTER PLANT OR CREAMERY** shall mean any place where milk, cream or milk products may be received or purchased for the manufacture of butter.

**5.6426 CHEESE PLANT OR FACTORY** shall mean any place where milk, cream or milk products may be received or purchased for the manufacture of cheese.

**5.6427 MILK PLANTS, MILK PRODUCTS PLANTS, MILK CONCENTRATION PLANTS AND CREAM STATIONS** shall mean any place where cream, milk or milk products may be received, cooled, skimmed or purchased for manufacture or held for shipment or delivery to a butter or cheese products plant, for the manufacture of butter,



cheese, condensed milk, evaporated milk, concentrated milk, sweetened condensed milk, sweetened evaporated milk, sweetened concentrated milk, condensed skimmed milk, evaporated skimmed milk, concentrated skimmed milk, sweetened condensed skimmed milk, sweetened evaporated skimmed milk, or sweetened concentrated skimmed milk or filled milk.

5.6428 HEALTH OFFICER. Same as Paragraph 5.0111.

5.6429 PERSON. Same as Paragraph 5.0123.

5.6430 AND/OR. Same as Paragraph 5.0103.

**5.65 SALE OF ADULTERATED OR MISBRANDED CHEESE, BUTTER OR OTHER MILK PRODUCTS PROHIBITED.** No person, firm, corporation or association shall produce, sell or expose for sale, or have in his or their possession with intent to sell, any milk, cream, butterfat, or other milk product for cheese or butter making purposes, or any cheese, butter, or other milk product which is adulterated, misbranded, or which has been produced or handled in violation of these regulations. Any cheese, butter or other milk product which is not properly labeled in compliance with Section 4, Act 142 of 1936, shall be deemed misbranded.

5.6501 Where milk products are shipped into a municipality, parish or health district, it shall be the duty of the receiver to furnish evidence satisfactory to the health officer having jurisdiction, that the cream or butterfat was produced under conditions equal to the minimum requirements of these regulations.

5.6502 The records and lists showing sources of supply of milk dealers, butter and cheese plants, and others receiving milk, cream or butterfat, from one or more sources, shall be open to inspection by representatives of the municipality, parish or health district having jurisdiction.

**5.66 PERMITS.** It shall be unlawful for any person to bring into or receive into a municipality, parish or health district, or its police jurisdiction, for sale; or to sell, or offer for sale therein or to have in storage where butter, cheese or other milk products are sold or served, any butter, cheese, or other milk products defined in these regulations; unless he possesses a valid unsuspended permit to operate which has been issued by the health officer in whose jurisdiction the products are being sold or offered for sale.

5.6601 Only those who comply with the requirements of these regulations shall be entitled to receive and retain such permits.

5.6602 Such a permit may be suspended or revoked by the health officer upon violation by the holder of any of the terms of these regulations, after the holder of the permit has been given a hearing by the health officer having jurisdiction, and has been allowed a reasonable length of time in which to correct the violation.

**5.67 LABELING AND MARKING.** All packages and other containers enclosing cheese, butter or other milk products as defined in these regulations shall be plainly labeled or marked with (1) the

quantity of contents in terms of weight measure or numerical count; (2) the name of the contents as given in the definitions in these regulations; (3) the name and address of the producer, seller, distributor, or manufacturer; (4) the word "pasteurized", only if the contents have been pasteurized, the word "raw" only if the contents are raw, and the name of the plant at which the contents were pasteurized if the contents are pasteurized. The label or mark shall be in letters of a size, kind, and color approved by the health officer having jurisdiction, and shall contain no marks or words which are misleading. All filled milk and imitation milk shall be labeled as such.

5.701 Butter and cheese when sold at retail shall be labeled with the name of the manufacturer, together with the net weight.

5.702 Renovated or processed butter shall comply with all the provisions for labeling butter and in addition shall carry the words "Renovated Butter" or "Processed Butter" displayed in bold faced type in such a way that these words are equally as large, legible and readable as any other portion of the label.

5.6703 Country butter shall comply with all the provisions for labeling butter and, in addition shall carry the words "Pasteurized Country Butter", if the product has been pasteurized, or the words "Raw Country Butter", if the product has been manufactured from raw milk or cream. The words shall be displayed in bold face type in such a way that these words are equally large, legible and readable as any other portion of the label.

5.6704 All package cheese sold must be labeled to indicate the variety.

5.6705 It shall be unlawful to manufacture or expose for sale any "part skim milk cheese", or "skim milk cheese", except cottage cheese, unless every vessel, can, package, cheese, or piece of cheese so exposed or sold is legibly and conspicuously labeled with the words "part skim milk cheese" or "skim milk cheese" as the case may be; and any place or establishment where "part skim milk" or "skim milk cheese" is sold at retail shall display a conspicuous legible sign containing the words "part skim milk cheese sold here" or "skim milk cheese sold here" in plain, block letters, not less than six inches high, and also the guaranteed maximum moisture and minimum fat content of such cheese in plain, block letters, not less than one inch high.

**5.68 INSPECTION OF BUTTER PLANTS, CHEESE PLANTS AND OTHER MILK PRODUCTS PLANTS.** The health officer of each municipality, parish or health district, or his authorized representative, shall inspect all butter plants, cheese plants and other milk products plants, within his jurisdiction, as often as the health officer may deem necessary, but shall make such inspection at least once every six months. If any violations of these regulations are discovered the health officer shall then follow a procedure similar to that given in paragraph 5.43.

**5.69 SANITATION REQUIREMENTS.** All butter plants, cheese plants and other milk products plants shall comply with all of the items of sanitation as prescribed in paragraphs 5.07 to 5.0715, inclusive, and paragraphs 5.09, 5.11, 5.13, 5.131 and 5.14.

**5.70 PASTEURIZATION OF CREAMERY BUTTER.** All milk and cream used in the manufacture of creamery butter must be pasteurized as prescribed in paragraph 5.0122. All pasteurization vats shall be equipped with approved indicating and recording thermometers, and an approved air heating device. The pasteurization of milk and cream used in the manufacture of creamery butter shall be done in the plant where such butter is manufactured.

**5.71 PASTEURIZATION OF CHEESE.** All milk and cream used in the manufacture of pasteurized cheese shall be pasteurized as prescribed in paragraph 5.0122. All pasteurization vats shall be equipped as prescribed in paragraph 5.70.

**5.72 PACKAGING AND HANDLING.** Packaging, cutting, molding and other handling processes of butter, cheese and other milk products or their ingredients, shall be done in an approved manner. Containers and packages shall be handled in such manner as to prevent contamination of the package or container.

**5.7201** All molds used in the preparation of cheese shall be of a non-rusting material. Molds used in the manufacture of cheese shall remain at the place of manufacture or preparation and shall not be used to transport the cheese away from the place of manufacture.

**5.73 THE EXAMINATION OF BUTTER, CHEESE AND OTHER MILK PRODUCTS.** Samples of butter, cheese and other milk products or their ingredients, shall be examined as often as the health officer may deem necessary. The examination of butter, cheese and other milk products shall be done in accordance with recognized standard procedures.

**5.74 BUTTER, CHEESE AND OTHER MILK PRODUCTS FROM POINTS BEYOND THE LIMITS OF ROUTINE INSPECTION** of a municipality, parish or health district may not be sold in the municipality, parish or health district or its police jurisdiction, unless manufactured under equivalent regulations and requirements herein prescribed; provided, that the health officer having jurisdiction in the municipality, parish or health district in which the product is sold, should satisfy himself that the product is being manufactured under at least equivalent regulations.

**5.75 MILK PLANTS, MILK PRODUCTS PLANTS, MILK CONCENTRATION PLANTS AND CREAM STATIONS.** No milk plant, milk products plant, milk concentration plant or cream station shall be allowed to operate until the operator of such a plant or plants shall have secured a permit to operate from the health officer having jurisdiction in the municipality, parish or health district in which the plant or plants are located. The health officer may revoke such permit at any time such establishment is found to be in an insanitary condition or is being operated in violation of these regulations, after the holder of the permit has been given a hearing by the health officer having jurisdiction, and has been allowed a reasonable length of time in which to correct the violation or violations.

**5.7501** The establishment shall be used for no purpose other than to receive and handle milk and cream and shall not have a direct connection with any meat market, grocery store, poultry market or



storage, gasoline station or any other place of business from which disagreeable odors might be absorbed by the milk or cream.

5.7502 It have have a floor of concrete, tile, glazed brick or other impervious material, with proper drainage and sewerage for the disposition of all waste water.

5.7503 It shall be equipped with steam, running hot and cold water and any brushes, tools or other equipment necessary for the thorough washing and sterilization of all cans, pails, separator parts and any equipment or containers that may come in direct contact with the milk or cream.

5.76 **INSANITARY HANDLING OF BUTTER, CHEESE AND OTHER MILK PRODUCTS.** Same as paragraphs 5.23 and 5.231.

5.77. **RATPROOFING.** Same as paragraph 5.24.

5.78 **FUTURE BUTTER PLANTS, CHEESE PLANTS, MILK PRODUCTS PLANTS AND CREAM STATIONS.** Same as paragraph 5.25.

5.79 **NOTIFICATION OF DISEASE.** Same as paragraph 5.26.

5.80 **SUSPENSION AND REISSUING OF PERMITS.** Same as paragraph 5.27.

5.81 **SUSPENSION AND REISSUING OF PERMITS.** Same as paragraphs 5.60, 5.603, 5.604, 5.605, and 5.606.

## **CHAPTER VI**

# **MARINE AND FRESH-WATER ANIMAL FOOD PRODUCTS (SEAFOODS)**

6.01 **DEFINITIONS.** The term "fish" as used in these regulations shall include and mean any edible, commercially distributed fresh or salt water member of the animal kingdom classed as fish (Pisces).

6.011 The term "shellfish" as used in these regulations shall include and mean any edible, commercially distributed member of the animal kingdom classed under "mollusks" (Mollusca).

6.012 The term "edible crustaceans" as used in these regulations shall include and mean any edible, commercially distributed shrimp, crab, lobster, or other member of the animal kingdom included under the classification of "crustaceans" (Crustacea).

6.013 The term "marine and fresh-water animal food products" as used in these regulations shall include any or all of the above defined products and, in addition, any animal used as food for human consumption whose normal life span, in whole or in part, is spent in fresh, brackish or salt water.

6.02 **SALE OF SHELLFISH—APPROVED AREAS.** No shellfish shall be sold in the State of Louisiana for food unless taken from areas approved by the State Board of Health, or, if taken from sources outside of the State, from areas approved by the state authorities

having jurisdiction, and unless secured from shellfish dealers whose state certifications have been endorsed by the United States Public Health Service for interstate shipment.

#### **6.03 RECORDS OF SHELLFISH PURCHASES AND SALES.**

Every person, firm or corporation who conducts any wholesale business of buying, selling or shipping shellfish shall keep an accurate daily record which shall show the names and addresses of all persons from whom lots are received, the location of the source of each lot, and the names and addresses of all persons to whom lots are sold or shipped. Such records shall be kept on file for sixty days and shall be open to inspection at any time during business hours by the local health officer or a representative of the State Board of Health.

**6.04 TRANSPLANTING OF SHELLFISH.** No person, firm or corporation engaging wholly or part time in the business of transplanting or of selling shellfish shall take up or transplant shellfish from areas not approved by the State Board of Health, except upon written application for a permit to transplant shellfish from unapproved areas made not less than thirty days before the beginning of such transplanting; provided, such permits will be granted only to responsible persons on the following conditions:

6.041 That in the case of market size stock to be removed from grossly polluted areas, application shall be made for such removal only during the months of May to August, inclusive, and stock handled as follows:

6.042 That shellfish relaid from moderately polluted waters in a designated area of approved waters, as established by the State Board of Health from sanitary surveys of the area and bacteriological examination of the water, shall remain down in the approved area for a period of not less than seven days when the water in which relaid has a temperature above 50° F. When the water temperature is below 50° F. shellfish shall not be relaid.

6.043 That shellfish transplanted from any polluted waters shall not be laid down within five-hundred (500 feet) feet of an approved area from which shellfish are being taken, or will be taken, for sale as food within seven days from the time when such shellfish so transplanted are laid down.

Violation of the above conditions will be followed by revocation of the permit to operate.

**6.05 WATER STORAGE OF SHELLFISH.** The water storage, cleansing, bedding or conditioning of shellfish shall not be permitted or practiced in water with a salt content less than that in which shellfish will naturally grow to maturity and shall not be permitted or practiced in the following:

6.051 Artificial bodies of water, unless the entering water has a bacteriological quality at all times at least equal to the U. S. Public Health Service standards for drinking water; or

6.052 Natural bodies of water which are subject to either constant or intermittent pollution as disclosed by a sanitary survey, nor any water in such proximity to dwellings, industrial plants, boats or docks

that their cleanliness can be protected only by the strict observance of sanitary regulations by all persons in the vicinity.

**6.06 CLEANLINESS OF SHELLFISH BOATS.** All boats used in the taking and handling of shellfish shall be kept in such a state of cleanliness and repair that shellfish hauled or stored thereon shall not be subject to contamination by bilge water, through leakage of polluted water, or by other means. Decks, holds or bins used for storage on boats shall not be washed with polluted water.

**6.07 SEWAGE DISPOSAL ON SHELLFISH BOATS.** Owners of all vessels in which men work continuously for more than two hours, which are engaged in the handling of shellfish from the planting or growing grounds, must provide their vessels with suitable receptacles of adequate size and type having a capacity of at least two gallons for each person on the boat, in which the excreta, both solid and liquid, of persons using such boats, shall be received, and the contents of such receptacles shall be disposed of either by means of the sewerage system of a municipality, by incineration, or by burial in the ground at points sufficiently removed from the banks of streams or tidal waters to prevent the pollution of the waters thereof.

**6.08 SEWAGE DISPOSAL NEAR SHELLFISH AREAS.** The discharge of human waste from any camp, boat or other source into the waters directly over, or adjacent to, areas on which the shellfish are being produced for market is prohibited.

**6.09 CONTAMINATION OF SHELLFISH PROHIBITED.** Shellfish held in wet or dry storage must be so kept at all times that they will not become contaminated.

**6.10 PERMITS TO OPERATE.** No person, firm or corporation shall operate or conduct an establishment for the cleaning, shucking, picking, peeling, or packing of any marine or fresh-water animal food product within the State of Louisiana until it has been inspected and approved by an accredited representative of the State Board of Health. Application for such inspection and approval shall be made in writing. After inspection and approval the State Board of Health shall issue to the owner, operator or manager of the establishment, a permit to operate, which shall be serially numbered. Said permit may be revoked for violation of any of the provisions of the Sanitary Code. The serial number of said permit shall appear on every package, can, carton, or other container in which shellfish are packed for distribution and sale. Other marine or fresh-water animal food products will be satisfactorily identified if the serial number of the permit or the packer's name and address is imprinted, embossed, or lithographed on the seafood container.

**6.11 PLANT CONSTRUCTION.** The construction of plants for cleaning, shucking, picking, peeling, packing, or otherwise handling marine or fresh-water animal food products, shall meet the following requirements:

**6.111 Lighting** (either natural or artificial) and ventilation (force draft if necessary) shall be adequate in all parts of the building used.

**6.112 Space** used for washing and packing marine or fresh-water animal food products shall be effectively separated by flytight walls or



partitions from space used for cleaning, shucking, peeling, picking, or otherwise preparing such products for packing, storing, or shipping. Rooms used for the above purposes shall be constructed throughout so as to permit easy and thorough cleaning and, where necessary to ensure such cleaning, shall be of sheet metal, cement or other type of impervious construction.

6.113 Floors shall be constructed of cement, tile, glazed brick, or other impervious construction to facilitate cleaning. Drainage of all water therefrom shall be complete and rapid.

6.114 Storage bins and storage rooms shall be so constructed as to permit easy, thorough, cleaning and drainage, and shall be located adjacent to the washing and packing room.

6.115 Cleaning, skinning, shucking, picking or peeling benches shall be of cement, metal, metal covered or other approved impervious sanitary type, and shall be cleaned thoroughly at the end of each day's operation. Walls immediately adjacent to such benches shall be of smooth hard material to a height of three (3) feet above said benches and so constructed as to be easily and thoroughly cleaned.

6.116 The establishment shall be provided with an abundant supply of water under pressure from a source approved by the State Board of Health. No cross connections with unapproved water supplies shall be permitted.

6.117 Lavatories, with hot and cold running water, liquid or powdered soap in dispensers, paper or individual towels, shall be provided for use of employees. Towels for common use are prohibited. Lavatories shall be so located that employees can readily use them after using the toilet, but they shall not be located in the toilet rooms.

6.118 Sanitary toilets of approved construction and location, adequate in number for color and sex, shall be provided for the use of employees. Toilets shall be considered adequate in number if one is provided for each twenty-five (25) employees or fraction thereof, for each color or sex. Toilets shall not open directly into rooms used for cleaning, shucking, picking, peeling, packing or storage of food products. Where sewerage facilities are available, water flush toilets connected to the sewerage system shall be provided. No insanitary privy shall be permitted or maintained on the premises, of any seafood establishment.

6.119 Refrigeration rooms or ice boxes for the storage or retention of marine and fresh-water animal food products shall be so constructed, painted or otherwise treated as to provide a smooth, impervious surface for easy and thorough cleaning. Floors of refrigeration rooms or walk-in coolers shall be of concrete, tile, glazed brick or other impervious material with adequate floor drains, or the floor so sloped as to ensure complete and rapid drainage. Walls shall be of concrete, metal, tongue and groove hardwood, or other impervious material, painted or otherwise treated to provide a smooth, washable surface to facilitate cleaning. Ice boxes shall be metal-lined with seams welded, soldered, or otherwise treated, to give a smooth, impervious, easily cleaned surface. All ice boxes, coolers, or refrigeration rooms shall be provided with adequate drains to facilitate cleaning.

6.1110 Establishments engaged in the cleaning, shucking, picking, peeling or packing of marine or fresh-water animal food products shall be so constructed as to exclude rats. All outside openings shall be screened. Screen doors shall open outward and, where doors from shipping rooms are open for extended periods of time during loading or shipping operations, inside screen doors shall be provided for all openings between the cleaning, picking, shucking, peeling, or packing rooms and the shipping rooms.

**6.12 EQUIPMENT.** The minimum equipment of marine and fresh-water animal food product plants shall comply with the following requirements:

6.121 There shall be available adequate amounts of hot water under pressure, for all purposes, in or about the establishment, while operating. Automatic heaters shall be provided, wherever possible, to ensure a minimum temperature of 170° F.

6.122 Shucking pails, measures, skimmers, colanders, tubs, paddles or other utensils shall be made of noncorrosive, nonrustable, smooth, impervious material, and constructed in such manner as to eliminate grooves, seams and cracks where food particles and slime may collect. All seams and joints shall be well filled with solder and dressed to a smooth surface. The construction of any knives or other working tools shall be such as to be free from cracks or crevices which would retain food particles and slime, or shall be such as to allow taking them apart in order to permit easy and thorough cleaning.

6.123 The use of shipping containers other than metal for shucked shellfish shall not be permitted, except that nonreturnable, nonreusable containers of waxed paper may be used under the following conditions:

Containers must be purchased in tightly sealed dustproof packages and kept therein in a clean, dry place until used. All containers for marine and fresh water animal food products must be stored and handled so that the inside surfaces will not become contaminated.

6.124 No returnable container shall be used unless it is constructed with straight side walls with a tight fitting cover which is sealed in place after the container is filled; and the whole shall be of non-corrosive, nonrustable, smooth metal of at least 12 gauge and so constructed as to eliminate seams, cracks, and grooves that are not well filled with solder dressed to a smooth surface. Returnable containers shall be cleaned immediately after use and shall be cleaned again and treated with a bactericide just prior to packing food material in them.

**6.13 PLANT OPERATION.** The operation of plants engaged in shucking, cleaning, picking, peeling, or packing marine or fresh water animal food products shall meet the following requirements:

6.131 No person with wounds in or on the hands, arms or face shall be permitted to open or handle shellfish, pick or pack cooked, edible crustaceans, or otherwise handle marine or fresh water animal foods which are to be consumed without further cooking or processing. No person afflicted with any communicable disease shall be employed in or about any marine or fresh water animal food product establishment, nor shall any person so affected be permitted to enter the rooms of any plant where such foods which are to be consumed without

further cooking or processing are cleaned, shucked, picked, peeled, packed, or otherwise handled.

6.132 During the operating season the plant shall be used for no purpose other than the handling of shellfish or other marine or fresh water animal foods. Material foreign to this particular business shall not be stored within the operating part of the plant. All abandoned equipment shall be removed from the plant and the floors shall be kept clear for thorough cleaning. The unoccupied portion of the storage bins, the shucking benches, work tables and all the floors shall be swept and flushed until they are thoroughly cleaned, at least once every day, at the completion of the day's run, with water from a source approved by the State Board of Health. Refrigeration rooms or ice boxes shall be washed out and thoroughly cleaned once a week or more often if necessary. At least once a week the cleansing shall include the washing of walls.

6.133 All employees shall wash their hands thoroughly with running water and soap on beginning work and after each visit to the toilet. Signs to this effect shall be posted by the proprietor in conspicuous places in the plant and in each toilet.

The outer clothing worn by persons engaged in handling these food products shall be such material as to be readily cleansed, and shall be kept reasonably clean. Persons engaged in cleaning, shucking, peeling, picking or packing marine or fresh water animal food products to be consumed without further cooking or processing shall be required to wear outer garments that are clean at the start of each day's employment. If finger cots, or shields for protecting the palm of the hand, are worn they shall be of waterproof, nonabsorbent material, preferably of rubber (when available).

6.134 Spitting on the floor of any marine or fresh water animal food product establishment is strictly prohibited. Cuspidors shall be provided in sufficient quantities and so arranged as to be readily available for use by those in and about the establishment who find it necessary to spit. Cuspidors shall be cleaned daily or oftener if necessary to maintain them in satisfactory condition. After each cleaning a disinfecting solution containing at least 200 parts per million of free chlorine shall be placed in each cuspidor to a depth of at least one inch.

6.135 All utensils and tools in use, such as opening knives, shucking pails, measures, skimmers, colanders, tanks, tubs, and paddles, which come in contact with oysters, cooked shrimp or cooked and picked crabs, shall each day be thoroughly scoured until clean, using soap or an alkali cleanser and then disinfected either (1) by exposure for at least fifteen minutes to a temperature of not less than 170° F., or for not less than five minutes to a temperature of at least 200° F., in a steam cabinet equipped with an indicating thermometer located in the coldest zone; or (2) by exposure to a steam jet for at least one minute; or (3) by immersion in or exposure to a flow of a chlorine solution of not less than one-hundred parts of free chlorine per million parts of water for not less than two minutes; or (4) by immersion in hot water at a temperature of 170°F. or more for not less than two minutes; or (5) by exposure to hot air at a temperature of not less than 180°F. for not less than twenty minutes, in a properly designed



oven or hot air cabinet equipped with an indicating thermometer located in the coldest zone.

6.136 All equipment used in the shucking, picking, packing or other handling of sea foods, including shucking buckets, knives, breaking blocks, finger cots and so forth, shall be stored in such a manner as not to become contaminated after cleaning and bactericidal treatment. Equipment in daily use during operating seasons shall not be removed from the plant for storage, but adequate provision for storage must be made on the premises.

6.137 Shucking, picking, peeling, packing or other work operations shall not be permitted to be carried on, on the floor. Where marine or fresh water animal food products are stored, adequate protection shall be provided within the storage space to prevent possible contamination from wash water, wastes, and from foot traffic. Utensils, in which marine or fresh water animal food products are to be handled that are to be consumed without further cooking or processing, shall be so placed as to exclude drippings from the food being handled or from the hands of the workers.

6.138 The "nesting" of empty pails shall not be permitted during the operating season. When not in use pails shall be inverted on racks or benches provided for this purpose.

6.139 The cooling to a temperature of 50°F or less of shucked shellfish, picked crabs, cooked, peeled shrimp or other sea foods which are to be consumed without further cooking or processing shall be effected as promptly as possible, and in no case shall the time exceed two hours, after shucking, picking, or cooking; provided that crabs or similar sea foods, which are picked after cooking, shall be cooled as rapidly as possible after cooking to a temperature of 50°F. or less and held at such temperature until ready to be picked, after which the picked material shall again be cooled, as specified above.

6.1310 Water for washing any marine or fresh water animal used as a food, or any food products derived from them, shall be from a source approved by the State Board of Health.

6.1311 Shells, washings and other wastes shall be disposed of in such manner as not to cause a nuisance.

6.1312 All persons handling shucked shellfish, picked crabs, cooked, peeled shrimp, or other marine or fresh water animal food to be consumed without further cooking or processing, shall keep their hands scrupulously clean. A solution of at least 50 p.p.m. of free chlorine should be provided in which such persons can frequently rinse their hands and forearms.

6.1313 When necessary in the interest of the public health, a representative of the State Board of Health shall attach a tag to any equipment or utensil which is insanitary, or the use of which would be in violation of these regulations. Any equipment or utensil so tagged shall not be used again until made sanitary. Tags so placed shall not be removed by anyone other than a properly authorized representative of the State Board of Health.

**6.1314** A single individual shall be designated by the management to supervise the shucking and packing of shellfish, the packing of peeled and cooked shrimp and cooked and picked crabs. He shall be responsible for the cleanliness of the shucking, picking or packing rooms and shall see that the requirements with reference to washing of hands after interruption of working operations is carried out by all persons engaged in the establishment. He shall be responsible at the end of each day's operations for the thorough cleansing and sterilizing of all equipment such as pails, knives, breaking blocks, finger cots, aprons, and so forth, and for the cleansing and washing of floors, walls, shucking benches, picking and packing tables, stalls, wheelbarrows and any other equipment used in or about the establishment. Benches, blocks, stalls, tables, and other similar type equipment shall be flushed at the close of each day's operations with a solution containing at least 50 p.p.m. of available chlorine.

**6.14 SHIPPING REQUIREMENTS.** The shipping of shucked shellfish, picked crabmeat, cooked, peeled shrimp or other marine or fresh water animal food products to be consumed without further cooking or processing, shall comply with the following requirements:

**6.141** Such products shall be sorted and shipped under such temperature conditions as will prevent spoilage. Outside containers shall be provided for ice, and no ice or other foreign substance shall be allowed to come in contact with the products during shipment or storage. (It is required that shucked stock be kept at a temperature of 50°F., or below, from the time it leaves the shipper until it reaches the consumer, but that it be not allowed to freeze except where freezing processes approved by the State Board of Health are employed.)

**6.142** Such products shall be packed and shipped in approved containers sealed in such manner that tampering is easily discernable, and marked with the packer's certificate number impressed or embossed on the side of such container and preceded by the letters "La." when packed in Louisiana, or by the abbreviation of the State in which packed. When containers are sealed with covers which become an integral part of the container and which will ordinarily be removed only by the ultimate consumer, the identification number and letter may be impressed in or permanently embossed, lithographed, or printed on the cover instead of on the side of the can. The date when such containers are filled shall be impressed in the cover by the packer, either in code or uncoded. If the date is in code, a key to the code shall be supplied the State Board of Health of the State in which the shellfish are packed, and to the Surgeon General of the U. S. Public Health Service. Shipments shall be so tagged or labeled as to show the name and address of the consignee, the name and address of the shipper, the name of the State of origin, and the certificate number of the shipper.

**6.143** Use of containers bearing the certificate number of another shipper shall not be permitted. Shellfish, if repacked, must be properly labeled to show point of origin and the certificate number of the original shucker and packer.

**6.15 SHIPPING SHELL STOCK.** Shellfish in the shell, except bulk shipments made as described in 6.151 and 6.152, shall be packed

in clean barrels or sacks. Shellfish' in the shell shall be handled and shipped under such temperature conditions as will keep them alive.

6.151 Shipments of shell stock in bulk, not sacked or barreled, shall not be made by truck or car except where the shipment is from only one consignor to only one consignee, and accompanied by the shipping tag before specified.

6.152 Bulk shipments of shell stock by boat may be made in cases where the tongs or dredgers obtain the shellfish directly from growing areas and sell them to various consumers direct without shucking. Where shell stock is shipped by boat for the shell trade, it must be suitably labeled to permit identification. If shellfish shipped by boat are intended for processing in shucking houses, records must be kept by the boat operator in a book provided for such purposes only, showing the sources and quantity of shellfish, date and local waters where the shellfish were taken, license or certificate number of person or persons from whom the shellfish were obtained, and person or persons to whom sold.

6.153 Railroad cars and trucks in which shellfish are shipped in sacks must be clean. All cars and trucks shall be subjected to proper inspection to see that they conform to this rule.

6.16 TAGS. In order that information may be available to inspectors and others with referenc to the origin of shell stock from all areas, containers holding shell stock shall be identified by a tag or label, the form and substance of which shall be approved by the State Board of Health. The information upon such tag or label shall include the name and address of the shipper, name and address of the consignee, certificate number issued by the supervising authority in the State of origin, together with the State abbreviation, date of dredging, date of shipment or of reshipment, and the name of the local waters from which the shellfish were taken. The stub of the tag shall not be removed from any package of shell stock until all of the contents of such package have been removed and such stub shall be retained by the receiver for sixty days. (The type of tag required is shown in Figures I and II.)



THIS PACKAGE  
CONSISTS OF  
OYSTERS

THIS PACKAGE

THIS TAG IS REQUIRED TO  
BE KEPT ON CONTAINER  
UNTIL EMPTY AND THERE-  
AFTER KEPT ON FILE FOR  
60 DAYS

SHIPPER'S  
CERT. NOS.

RESHIPPER'S  
CERT. NOS.

DATES  
RESHIPED

SHELLFISH DREDGED FROM

LOCAL AREA OR  
BED NO.

DATE

C 499494

TO BE RETAINED BY RE-  
CEIVER OFR 60 DAYS

SHIPPER'S  
CERT. NO.

TO:

DETACH HERE

THIS PACKAGE CONSISTS  
OF OYSTERS

Shellfish Dredged From

LOCAL AREA OR  
BED NO.

DATE

C 499494

# Oysters

from Louisiana  
Bedding Grounds Inspected  
and Approved by the State  
Board of Health in cooperation  
with the U. S. Public  
Health Service.

**HIGH IODINE CONTENT**  
makes them beneficial for  
human consumption.

President  
Louisiana State Board of  
Health

SHIPPER'S NAME AND  
ADDRESS

FROM:

BELOW TO BE FILLED IN  
BY RECEIVER

DATE  
REC'D

LOT NO.	LOT CONSISTS OF

## CHAPTER VII

# EATING AND DRINKING ESTABLISHMENTS, BAKERIES AND MANUFACTURING CONFECTIONERIES, FOOD MANUFACTURING PLANTS

**7.01 DEFINITIONS.** The following definitions shall apply in the interpretation and the enforcement of these regulations:

**7.011 PUBLIC EATING PLACE.** The term "public eating place" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, lunch counter, tavern, sandwich stand, and all other establishments where the public may obtain sandwiches, lunches or meals, and kitchens and other rooms in which food and drink are prepared for sale to the public.

**7.012 BEVERAGE BAR.** The term "beverage bar" shall mean any soda fountain, beer tavern, soft drink stand, juice stand, liquor bar, or other establishment where any beverage is dispensed to the public for immediate consumption, but shall not include establishments where bottled beverages are sold in the original unbroken package to be removed for consumption apart from the establishment where sold.

**7.013 ITINERANT SHOW.** The term "itinerant show" shall mean any bazaar, carnival, fair, circus, public exhibition or other similar gathering which will operate for only a temporary period in any one location.

**7.014 ITINERANT PUBLIC EATING PLACE OR BEVERAGE BAR.** The term "itinerant public eating place or beverage bar" shall mean an eating or drinking establishment operating in connection with any itinerant show.

**7.015 EMPLOYEE.** The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

**7.016 UTENSILS.** "Utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

**7.017 HEALTH OFFICER.** The term "health officer" shall mean the health officer of a municipality, parish or health district, or his authorized representative.

**7.018 PERSON.** The term "person" shall mean any individual, firm, corporation, or association.

**7.02 PERMITS.** No person shall operate a public eating place or beverage bar of any kind in the State of Louisiana unless he has a permit to operate issued by the health officer. Permits shall be issued only to persons whose establishments comply with the requirements of these regulations. Permits may be suspended or revoked by the health officer, if the establishment is found operating contrary to these regula-

lations. The operation of such an establishment without a permit, or the continued operation after a permit has been revoked, shall constitute a violation of this Code.

**7.03 PUBLIC DISPLAY OF PERMITS.** Every public eating place or beverage bar of any kind shall have displayed at all times, in a place designated by the health officer, a permit to operate said establishment, signed by the health officer. Such permits shall be renewed annually, and shall be issued either for the calendar year or the fiscal year as the health officer may direct. The health officer shall have the authority to remove the permit if it is revoked.

**7.04 EXAMINATION AND CONDEMNATION OF UNWHOLE-SOME OR ADULTERATED FOOD OR DRINK.** Samples of food and drink may be taken and submitted to the laboratory by the health officer for examination as often as he deems necessary for the detection of unwholesomeness or adulteration. The health officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which he deems unwholesome or adulterated.

**7.05 SANITATION REQUIREMENTS FOR PUBLIC EATING PLACES AND BEVERAGE BARS.** All food handling establishments shall comply with all of the following items of sanitation:

**7.051 FLOORS.** The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

**7.052 WALLS AND CEILINGS.** Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

**7.5033 DOORS AND WINDOWS.** All openings into the outer air shall be effectively screened. Doors and screen doors shall be self-closing.

**7.054 LIGHTING.** All rooms in which food or drink is stored or prepared, or in which utensils are washed, shall be well lighted.

**7.055 VENTILATION.** All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

**7.056 TOILET FACILITIES.** All establishments dispensing food or drink shall be provided with adequate and conveniently located toilet facilities for its employees, conforming to the regulations of this Code.

In establishments hereafter constructed, toilet rooms shall not open directly into any room in which food, drink or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be separate from the food or beverage



establishment, and shall be of a sanitary type, constructed and operated in conformity with the standards of the State Board of Health.

7.057 WATER SUPPLY. The water supply shall be easily accessible to all rooms in which food or drink is prepared or utensils are washed, and shall be adequate, and of a safe sanitary quality.

7.058 LAVATORY FACILITIES. Adequate and convenient hand-washing facilities shall be provided, including warm water, soap, and approved sanitary towels. The use of a towel in common is prohibited. No employee shall resume work after using the toilet without first washing his hands.

7.059 CONSTRUCTION OF UTENSILS AND EQUIPMENT. All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, movable food carts and other equipment or utensils used in connection with the operation of a public eating place or beverage bar, shall be so constructed as to be easily cleaned and shall be kept in good repair.

#### 7.0510 CLEANING OF UTENSILS AND EQUIPMENT.

(a) All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from insects, rodents or other vermin, and free from dust, dirt, or other contaminating material. All cloths used by the waiters, chefs, and other employees, shall be clean. Containers designed and made for single service shall be used only once.

(b) All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink, shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

#### 7.0511 BACTERICIDAL TREATMENT OF UTENSILS AND EQUIPMENT.

After cleaning, all multiple service eating and drinking utensils shall be effectively subjected to one or more of the following or other equivalent approved bactericidal processes:

(a) Immersion for at least two minutes in clean hot water at a temperature of at least 170° F. or for one-half minute in boiling water. Unless actually boiling water is used, an approved thermometer shall be available convenient to the vat. (The pouring of scalding water over washed utensils shall not be accepted as satisfactory compliance.)

Where hot water is used for bactericidal treatment, there shall be provided a hot water heater (preferably controlled by a thermostat) capable of maintaining a water temperature of at least 170° F. in the vat at all times during business hours.

(b) Immersion for at least two minutes in a chlorine rinse containing at least one-hundred parts per million of available chlorine if hypochlorites are used, or a concentration of equal bactericidal strength if chloramines or other chlorine compounds are used.

Where chlorine treatment is used, a three-compartment vat shall be required, the first compartment to be used for washing, the second for plain rinsing, and the third for chlorine immersion; provided, that for existing installations the second or rinsing compartment may be omitted if a satisfactory rinsing or spraying device is substituted.

(c) Exposure in a steam cabinet (equipped with an indicating thermometer located in the coldest zone) to at least 170° F. for at least fifteen minutes. Steam cabinets shall be provided with a valve to permit the discharge of cold air when steam is admitted.

(d) Exposure in a properly designed oven or hot-air cabinet (equipped with an indicating thermometer located in the coldest zone) to hot air at a temperature of at least 180° F. for at least twenty minutes.

Equipment that is too large to immerse may be treated (1) with live steam from a hose, in the case of equipment in which steam can be confined, (2) by boiling water rinse, or (3) by spraying or swabbing with chlorine solution of approved strength.

If washing machines are used the temperature of both the wash water and the rinse water shall be frequently checked. For all bactericidal processes the actual period of exposure to the temperature or the chlorine rinse shall be checked to determine compliance.

Drying cloths, if used, shall be clean and shall be used for no other purpose.

**7.0512 STORAGE AND HANDLING OF UTENSILS AND EQUIPMENT.** After bactericidal treatment utensils shall be stored in a clean dry place protected from flies, dust or other contamination, and each utensil shall be handled except in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

**7.0513 DISPOSAL OF WASTES.** All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such a manner as not to become a nuisance.

**7.0514 REFRIGERATION.** All readily perishable food or drink shall be kept at or below 50° F. except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

**7.0515 WHOLESOMENESS OF FOOD AND DRINK.** All food and drink shall be wholesome and free from spoilage. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from sources approved by the health officer. Milk and fluid milk products shall be served in the original containers in which they were received from the distributor, or from a bulk container equipped with an approved dispensing device; provided, that this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All sea foods shall be from approved sources.

**7.0516 STORAGE AND DISPLAY OF FOOD AND DRINK.** All food and drink shall be stored or displayed as to be protected from

dust, flies, vermin, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept, or allowed, in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies shall be used.

7.0517 **CLEANLINESS OF EMPLOYEES.** All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment.

7.0518 **MISCELLANEOUS.** The premises of all public eating places and beverage bars shall be kept clean and free of litter or rubbish. None of the operations connected with such an establishment shall be conducted in any room used as living or sleeping quarters; nor shall there be a direct opening between a room used as a kitchen, or for the preparation of food, with living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing, and shall be kept clean. Soiled linens, coats and aprons shall be kept in containers provided for this purpose.

7.06 **ESTABLISHMENTS WHICH MAY OPERATE.** From and after the date on which these regulations take effect no public eating place or beverage bar shall be operated within the State of Louisiana unless it conforms to the requirements of these regulations. When any establishment fails to conform to these regulations, the health officer is authorized to revoke its permit.

7.07 **REINSTATEMENT OF PERMIT.** Any establishment, the permit of which has been suspended, may at any time, have the permit reinstated upon application of the owner or operator, provided the establishment has been placed in compliance with the Code.

Within one week after the receipt of an application for reinstatement, accompanied by a statement signed by the applicant, to the effect that the violated item or items of the specifications have been conformed with, the health officer shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reinstate the permit.

7.08 **POISONOUS SUBSTANCES.** No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.

7.09 **NOTIFICATION OF DISEASE.** Notice shall be sent to the health officer immediately by the manager of the public eating place or beverage bar, or by the employee concerned, if he or any employee contracts any infectious, contagious or communicable disease, or has a fever, a skin eruption, a cough lasting more than three weeks, or an other suspicious symptoms of a communicable disease. It shall be the duty of any such employee to notify the manager immediately when any of said conditions occur, and if neither the manager nor the employee concerned notifies the health officer immediately when any of said conditions occur, they shall be held jointly and severally to have violated this regulation. A placard containing this regulation shall be posted in all toilet rooms used by employees.



**7.10 PROCEDURE WHEN INFECTION SUSPECTED.** When suspicion arises as to the possibility of transmission of infection from any employee of a public eating place or beverage bar, the health officer is authorized to require any or all of the following measures:

(1) The immediate exclusion of the employee from all food handling establishments; (2) the immediate closing of the public eating place or beverage bar concerned until no further danger of disease outbreak exists, in the opinion of the health officer; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

**7.11 LOCAL ORDINANCES.** Nothing in the foregoing regulations shall be construed as preventing a local health department from passing an ordinance or enforcing rules and regulations concerning the grading of public eating places or beverage bars.

### **REGULATIONS FOR ITINERANT SHOWS**

**7.12 PERMITS.** No carnival, circus, or other itinerant show shall be allowed to operate in Louisiana until it has applied to the City or Parish Health Department for a permit to operate. Such application shall be made not less than two days in advance of the date on which said itinerant show intends to open. Prior to being issued such a permit, the owner or operator shall present to the local health officer satisfactory evidence that said itinerant show will be operated in compliance with the following regulations. Application for such permit shall be made in writing and shall state the exact location of said show, the approximate number of persons connected with it, the probable duration of stay, the proposed source of water supply and the proposed method of sewage and garbage disposal.

**7.13 LOCATION SATISFACTORY.** If the city or parish health authorities are satisfied after inspection that the proposed location will not be a source of danger to the health of the community or to those engaged in conducting the show, they shall issue, in writing, the necessary permit; provided, said permit may be revoked for cause by the city, parish or state health authorities.

**7.14 INSPECTION OF LOCATION.** It shall be the duty of each city or parish health department to inspect promptly the proposed location of any itinerant show to determine the suitability of the location and its sanitary condition. If the location or manner of operation is found to be contrary to the public interest or detrimental to the public health or to the health of those engaged in conducting the show, the health authorities shall cause the show to be moved or the manner of its operation to be changed.

**7.15 CARETAKER REQUIRED.** It shall be the duty of the owner, manager or operator of any itinerant show to detail one person who shall be responsible for the sanitary condition of the show and to notify the city or parish health authorities of the name of such person.

**7.16 MAINTENANCE OF GROUNDS.** All tents, cars, trailers or other appurtenances connected with, or traveling in company with, said show shall at all times be kept in a clean and sanitary condition, and the grounds on which said show is located shall be kept and, when definitely vacated, shall be left in a clean and sanitary condition.

**7.17 REFRESHMENT STAND REQUIREMENTS.** All itinerant public eating places, beverage bars or other refreshment stands, connected with, or traveling with, any itinerant show shall be required to comply with the following sanitary conditions:

**7.171 UTENSIL STERILIZATION.** All glasses, cups, spoons and other utensils which come in contact with the mouth or lips must be sterilized after each use. If paper service utensils are used, they must be destroyed after service. Sterilization of multiple service utensils shall be effected by washing in hot water and soap, rinsing in plain water and sterilizing by immersion in a chlorine solution of not less than 200 p.p.m., or by other approved bactericidal processes.

**7.172 HOT WATER SUPPLY.** All stands serving foods must maintain a separate and adequate heating unit to provide an abundant supply of hot water for use in washing dishes and other utensils and for cleaning in and about the stand.

**7.173 COOK ROOMS.** All stands serving lunches must have separate cook rooms or kitchens, properly enclosed and screened.

**7.174 COOKING HOT PLATES OR GRIDDLES.** All stands where "hot dogs" or "hamburgers" or other similar food products are cooked in front, must have all griddles enclosed on three sides with covers extending entirely over the griddle.

**7.175 FOOD STORAGE.** Adequate covered cases or cupboards must be provided for all food supplies and no food offered for human consumption shall be openly displayed, but must be adequately protected from dust and flies at all times. All perishable food and drink shall be kept at or below a temperature of 50°F. to prevent spoilage. Sugar must be served in sugar shakers, and straws and ice cream cones must be kept in closed containers.

**7.176 BARBECUE STANDS.** Barbecue stands must be entirely enclosed or screened, and no cooking of foods in the open will be permitted.

**7.177 ENCLOSURE OF STANDS.** All outdoor stands where any food or confection such as cotton candy, popcorn, sugar coated apples or other product is prepared, shall have all work areas enclosed on three sides with covers extending entirely over said work area. No such food or confection shall be openly displayed, but must be kept at all times in a covered display case or under adequate cover. Cheese cloth, mosquito netting or loose cellophane are not considered as adequate covering.

**7.178 BEVERAGE DISPLAYS.** All soft drink beverages, whether carbonated or uncarbonated, shall be dispensed in, or from, the original container as filled and sealed at the bottling plant, or from closed dispensers or containers fitted with a suitable faucet or spigot. The use of open bowls or the dipping of beverages is prohibited. Dispensers or storage containers shall be either glass, stoneware, or acid-resistant metal construction and shall be thoroughly washed each day and then sterilized by contact, for not less than five minutes, with a chlorine solution of not less than 200 p.p.m. free chlorine.

**7.179 ICE SUPPLY.** All ice used shall be produced, stored and handled in compliance with the regulations pertaining to ice contained in Chapter VIII of this Code.

**7.1710 JUICE STANDS.** All mills and juice presses shall be covered to protect them adequately from dust, flies, or other extraneous contamination, while in operation. If a synthetic beverage is made up it must be properly labeled so that all prospective purchasers may see the list of ingredients, including artificial flavor and color, if used, and plainly stating adjacent to the name of the product that it is "Imitation."

**7.1711 GARBAGE CONTAINERS.** Metal, flyproof, non-leaking containers must be provided for garbage and must be emptied daily. All single service paper utensils, napkins, waste paper and other similar refuse, must be disposed of in such manner that the ground is kept free from refuse.

**7.1712 GROUND MEATS.** Hamburger and other comminuted fresh meats must be purchased fresh each day. All amounts left at the close of business each day must either be destroyed or cooked. The use of any preservative in such meats is prohibited.

**7.1713 MILK SUPPLY.** All milk dispensed must be served in individual bottles. Only pasteurized milk or cream shall be used or served.

#### **7.18 EXAMINATION OF FOOD HANDLERS**

(a) No person who has a communicable disease in an infectious stage, or who is a carrier of a communicable disease which can be transmitted directly through casual or intimate contact; or through water, milk or other food materials, shall be employed or permitted to work or to serve, in dairies, milk plants, restaurants, food packing establishments, or in other places where they may handle or come in contact with food materials.

(b) The State or local health officer, or his representative, may require any person working in a food handling establishment to submit to thorough physical examination, including laboratory tests, to determine whether he has a communicable disease in an infectious stage, or is a carrier of a communicable disease which can be transmitted directly through casual or intimate contact, or through water, milk or other food materials. Reports of such examination shall be submitted to the State or local health officer, or his representative.

(c) No person who refuses to submit to such an examination shall be permitted to work in a food handling establishment.

#### **BAKERIES AND MANUFACTURING CONFECTIONERIES**

**7.25 DEFINITIONS.** The term "bakery" as used in these regulations shall mean any establishment operating to manufacture any bread or bread products, pies, cakes, cookies, crackers, doughnuts, or other similar products.



7.251 The term, "manufacturing confectionery," as used in these regulations shall mean any establishment operating to manufacture any candy, either plain, chocolate or chocolate coated, mixed with nuts, fruits, or other fillers, covered with chocolate or other coatings and shaped, molded or formed in various shapes.

7.26 **PERMITS.** No bakery or manufacturing confectionery shall be operated unless the owner, manager or operator has first obtained a permit to operate from the State Board of Health. Application for a permit shall be made on a form furnished for that purpose by the Board.

7.261 No permit to operate shall be issued until an inspection has been made of the establishment by an authorized representative of the State Board of Health and the establishment has been found to be operated and maintained in compliance with these regulations.

7.262 Permits shall be issued to expire on the thirty-first day of December of the year issued and shall be renewed on or before that date. Any permit issued by the Board may be revoked if the establishment is found operating in an insanitary manner contrary to these regulations. The operation of such an establishment without a permit, or the continued operation after a permit has been revoked, shall constitute a violation of this Code.

7.263 Permits must be conspicuously posted within the establishment and shall not be transferable from one person to another but must be issued in the name of the owner, operator, or other person responsible for the proper operation of the bakery or manufacturing confectionery.

7.27 Any building used or maintained as a bakery or manufacturing confectionery shall comply with the following requirements:

7.271 They shall be constructed with concrete, tile, glazed brick, or other impervious floors, sloped to drain quickly and effectively so that they may be easily cleaned. All drains shall be trapped.

7.272 Wall and ceilings shall be smooth, tight, and painted with light colored or white paint to give an easily cleaned surface and shall be kept clean.

7.273 All outside openings shall be screened against flies. Screen doors shall be self-closing and shall open outward. Where outside doors are frequently open to permit loading of trucks, or for other purposes, such loading areas shall be partitioned off or screened away from all work areas where food products are in process of preparation.

7.274 Any bakery or manufacturing confectionery maintaining or operating a retail salesroom in connection therewith shall provide a separate room for such retail operations and only personnel engaged in the manufacture, baking, cooking, molding, or otherwise preparing bakery or confectionery products, shall be permitted in the processing area except on permission from the management; provided, any authorized representative of the State Board of Health shall have free access during reasonable working hours to make inspections and to

collect samples for examination to determine whether the products sampled are adulterated, misbranded, or otherwise manufactured, packed, prepared or held in violation of the Sanitary Code or of the State Food, Drugs and Cosmetic Law.

7.275 All rooms shall be well lighted, either naturally or artificially, and shall be well ventilated. When necessary to prevent accumulations of smoke, fumes or odors, forced draft ventilation shall be provided by means of exhaust fans.

7.276 An adequate supply of potable water approved by the State Board of Health shall be available. Running hot and cold water shall be required in amounts sufficient to give an abundance of water for all cleaning operations in and about the establishment. No cross-connection between the potable water supply and any unapproved water supply, or any sewage disposal system, shall be permitted.

7.277 The building shall be so constructed as to exclude rats, mice or other vermin. Domestic pets shall not be allowed in any room used for the preparation of food.

7.278 A locker room, separate from the food preparation rooms, shall be provided for employees.

7.279 Adequate storage space shall be provided for all raw ingredients, packing boxes, or other goods to be used in the manufacture, storage, packing or preparation of any food product. Storage space shall be rat and vermin proof and so constructed as to permit easy fumigation when necessary to eliminate any infestation by vermin.

**7.28 EQUIPMENT.** All equipment used or connected in any way with the manufacture, baking, cooking, or other processing, handling, packing, or storing of any bakery or confectionery product shall be maintained in a clean and sanitary manner, shall be free from cracks and wherever possible shall be of metal or other smooth, impervious material giving an easily cleanable surface.

7.281 Adequate refrigeration space shall be provided for all perishable food products used in the manufacture or processing of any kind connected with the production, distribution or sale of bakery or confectionery products.

7.282 Adequate show or display cases shall be provided so that no bakery or confectionery product shall be openly exposed where it may be handled by prospective purchasers or whereby it may be exposed to dust, dirt, flies or other extraneous contaminating material.

7.283 Sinks, adequate in size and sufficient in number for proper washing and rinsing of utensils used in and around the establishment, shall be provided

7.284 Equipment too large to permit washing in the sinks shall be subject to such cleansing processes as are necessary to keep it clean and in satisfactory sanitary condition.

7.285 All barrels, boxes, tubs, pails, kneading troughs, machines,

racks, pans or other receptacles used for holding materials from which bakery or confectionery products are manufactured shall be kept clean and sanitary and shall be so constructed as to be easily and conveniently cleaned.

7.29 Supplies used in the manufacture of bakery and confectionery products shall be stored outside of the preparation rooms. Flour, sugar and other similar products shall be protected from dampness and vermin. All ingredients shall be stored on racks or shelves off the floor and so arranged as to permit cleaning around and under the containers. No spoiled, rancid or unwholesome ingredients of any type shall be used in the manufacture of any bakery or confectionery product nor shall such material be permitted to remain in such a manufacturing plant.

7.291 No box, paper, trash, furniture or other article not used in the preparation of any bakery or confectionery product shall be allowed in food preparation rooms, nor shall an accumulation of boxes, rubbish, trash or waste be permitted about the establishment, nor shall any slops or waste matter be thrown or emptied on the ground about the premises. Garbage shall be kept in watertight, metal cans with tightly fitting lids. Garbage must be removed from the premises as often as necessary and in such a manner as to prevent its becoming an attraction to or breeding place for flies or other vermin.

7.30 Every bakery or manufacturing confectionery shall be provided with adequate toilet facilities for employees of different color and sex. No toilet room shall open directly into any room where foods are prepared. All toilet rooms shall have outside light and ventilation.

7.301 Adequate lavatory facilities shall be provided, equipped with hot and cold running water, individual or paper towels, and powdered or liquid soap in dispensers. Before beginning work and after use of the toilet, all employees must wash their hands and arms thoroughly. Towels for common use are prohibited.

7.302 All employees and others engaged in or about any bakery or manufacturing confectionery shall wear clean outer clothes. Employees shall wear hair nets or caps while engaged in the manufacture, processing or packing of any bakery or confectionery product.

7.303 Smoking or other use of tobacco is prohibited while engaged in the manufacture, processing or packing of any bakery or confectionery product.

7.304 Spitting is prohibited in any bakery or manufacturing confectionery except into proper cuspidors maintained in a clean and sanitary condition.

7.31 No bed or cot shall be permitted in any bakery or manufacturing confectionery, nor shall any sleeping quarters open directly into the preparation rooms of such establishments.

7.32 No person with suppurating wounds, boils, sores, or other injured or infected areas on the hands, arms, or face shall be permitted to work in any bakery or manufacturing confectionery or



otherwise handle bakery or confectionery products. No person afflicted with any communicable disease shall be employed in or about any bakery or manufacturing confectionery, nor shall any person so afflicted be permitted to enter the rooms of any plant where bakery or confectionery products are being prepared, packed, displayed or otherwise handled.

7.33 No bakery or confectionery product shall be delivered to any retailer by placing such products in a box or other receptacle located outside of the retail establishment.

7.331 All handling or sale of bakery or confectionery products, and all practices connected therewith, shall be conducted at all times in such a manner as to prevent any contamination of such products or the spread of disease among the consumers.

7.332 No bread or other bakery products shall be returned from any consumer, or other purchaser, to the dealer or baker, nor from any dealer to the baker; and no baker or dealer shall directly or indirectly accept any returns or make any exchange of bread or other bakery products from a dealer, restaurant, or hotel keeper, consumer or other person, and all bread and all other bakery products shall be kept moving to the consumer in as direct a line as possible or practicable, without unreasonable delay and without exchange, return, or other practice whatsoever which may disseminate contamination, disease, or infection, among bakeshops, or which may cause waste in the food supply.

7.333 "Day old" or "stale" bread or other bakery products shall not be displayed or offered for sale on the same stand or in the same display case with "fresh" products. Every retail store, dealer, or other establishment dealing in bread or other bakery products of the "day old" or "stale" variety, or carrying over stocks of these goods for display and sale, shall provide a display rack or show case to be used exclusively for such products and placarded in such a manner that prospective purchasers are advised that goods displayed or offered for sale on such racks, or in such cases, are "Day Old" or "Stale."

7.34 No new bakery shall be established or maintained, in which the clear height between the finished floor and ceiling is less than eight feet, six inches, in any room, or place, and the floor of which shall be not less than one foot from the ground unless the floor is of cement, tile or other impervious material, in which case the floor shall be above the level of the ground at least two inches, (taking as a guide the adjacent walk or alley level at its highest elevation), or in any room or place which is not naturally lighted by means of windows, doors, or skylights, with a glass surface for lighting of not less than one to seven square feet of floor space.

7.35 Any bakery now being maintained and operated, which shall be vacated, discontinued or unused for a period of six consecutive months or more and then reopened, shall then be considered a new bakery for the purpose of these regulations. All bakeries now in operation shall be allowed to continue to operate so long as they are kept

dry and in a sanitary' condition and in compliance with all the requirements of these regulations except those pertaining to height of floor from ground and inside elevations from finished floor to ceiling.

**7.36 CUSTARD OR CREAM-FILLED BAKERY PRODUCTS.** All commercially prepared custard or cream-filled bakery products shall be made under clean conditions.

7.361 Only pasteurized milk or cream shall be used in the preparation of custard and cream-filled bakery products.

7.362 All custard or cream-filled mixtures shall be cooked, the temperature, and time of heating of the mix, to be as a minimum, the equivalent of a temperature of 142° F. for a period of not less than thirty (30) minutes.

7.363 Upon completion of the cooking of the mix it shall be immediately transferred into previously sterilized containers, properly covered, and chilled as rapidly as possible to 50° F., or below, and maintained at such temperature until used.

7.364 The apparatus used in adding any custard or cream filling to a bakery product shall be of impervious material and shall be properly cleaned after each use and sterilized before being reused. No cloth filling bags shall be used.

7.365 Employees engaged in the preparation of custard or cream-filled bakery products shall not touch the custard or cream filling with their hands after it has been cooked.

7.366 No pastry containing a custard or cream filling shall be displayed in any window or showcase except those that are refrigerated or chilled to a temperature of 50° F. or below.

7.367 Pastries containing custard or cream filling shall not be sold or delivered from vehicles, except where such vehicles are equipped with a refrigerated compartment where the temperature is maintained at 50° F. or below; provided, however, that such pastries may be delivered from manufacturers to retail dealers or consumers by special trip without refrigeration when it is possible to complete such delivery within two hours elapsed time.

7.37 Any bread, pastry or confectionery product showing dirt or filth shall be deemed an impure food product, the sale of which is prohibited by law.

7.371 Transportation of any bread, pastry or confectionery product for subsequent display or sale is prohibited unless said bread, pastry or confectionery product is wrapped or packaged in such a manner as to protect the product from contamination by dust, dirt, flies and other extraneous material.

## **FOOD MANUFACTURING PLANTS**

**7.51 DEFINITIONS.** The term "factory" as used in these regulations shall mean any establishment operating to manufacture, process, can, bottle or pack any food unless covered by other specific provisions of this Code.

7.511 The term "food" shall mean all substances and preparations used for, or entering into the composition of, food, drink, confectionery, chewing gum, or condiment for man or other animals.

7.512 The term "pressure cooker" shall mean any airtight retort or vessel, equipped to use as a cooking agent, steam superheated under pressure so that the steam reaches a temperature above 212°F.

7.52 **PERMITS.** No person shall operate any factory within the State of Louisiana without a permit to operate, issued by the State Board of Health.

7.521 A permit shall be issued upon receipt of an application which shall be made on a form provided for that purpose by the State Board of Health; provided that no permit shall be issued until an inspection has been made of the factory and it has been found to be operating in compliance with the provisions of these regulations.

7.522 Any permit to operate, issued by the State Board of Health, may be suspended or revoked if the factory is found to be operating contrary to these regulations. The operation of such an establishment without a permit, or the continued operation after a permit has been revoked or suspended, shall constitute a violation of this Code.

7.523 Permits to operate shall expire on the first day of January next following the date of issue but may be renewed without inspection on or before January 1st of each year; provided, that any establishment shall be subject to inspection by a representative of the State Board of Health at any reasonable time during working hours.

7.524 Permits shall be issued only to the person or persons responsible for the operations of the factory and shall not be transferable.

7.53 **BUILDINGS.** All factory buildings shall be well lighted and ventilated.

7.531 All floors, walls, ceilings, tables, and other fixtures shall be maintained in such a condition that they may be readily made clean and sanitary. If not in such condition they shall be promptly repaired and replaced. The floors of all rooms used for manufacturing shall be water-tight and where there is necessity for drainage, shall have sufficient pitch to insure drainage. Floors may be constructed of cement or tile laid in cement, or of any other materials impermeable to water. When and where necessary for the protection of employees, portable or loose floor gratings should be provided around blanchers, washers and other places where overflow is unavoidable. Ceilings or other overhead coverings shall be dust proof.

7.532 Walls, ceilings and other overhead coverings, shall be tight and smooth; parts thereof not finished in tile or other glazed material shall be kept well painted with a light colored paint so that they may be easily cleaned whenever they become soiled or dirty.

7.533 Windows, window ledges or any other places where dirt and dust may accumulate shall be cleaned whenever they become soiled or dirty.



7.534 All factory floors, fixtures, utensils or other apparatus used in the manufacture, handling or storing of foods shall be kept clean.

7.535 Every practicable precaution shall be taken to keep factories free of flies, rats, mice, and other vermin. The use of poisons for any purpose in rooms or compartments where any food is stored or handled is forbidden, except under such restrictions and precautions as are customary with the use of such material. The use of bait poisons in outbuildings or similar places or in storerooms containing canned or tiered products is not forbidden, but so-called rat viruses shall not be used in any part of a factory or the premises thereof.

7.536 Every factory shall be provided with adequate toilet facilities for employees of different color and sex. Such toilets shall conform with the requirements of the State Board of Health. There shall be at least one room, or vestibule, not used for food handling purposes, between the toilet rooms and any room in which foods are handled and stored. The doors of all toilet rooms shall be self-closing. Toilet rooms and vestibules shall be kept clean and in good repair, and shall have outside light and ventilation. Wash rooms and lavatories shall be adjacent or convenient to the toilet rooms and shall be supplied with liquid or powdered soap in dispensers and individual or paper towels. The use of towels in common is prohibited.

7.537 There shall be no condition in, underneath or connected with the factory building which may render it difficult or impossible to keep the factory rooms clean and sanitary.

7.538 No cesspool, or nuisance of any kind, shall be permitted to exist in or underneath the factory or upon the premises in such a way as to affect the sanitary conditions of the building.

7.539 Every factory using brine or syrup shall be equipped with a room known as a syrup or brine room in which all syrups or brines shall be mixed or compounded. Such syrup or brine room shall be separated from the other rooms of the factory and shall be well lighted, screened and ventilated.

7.54 **PREMISES.** All grounds on which factories, warehouses, and other buildings or structures used in connection with any food manufacturing plant are located, must be properly graded to provide a natural drainage, thus preventing accumulation of stagnant water and other material.

7.541 No litter, waste or refuse shall be allowed to accumulate in or around the buildings or yards.

7.542 Weeds shall be removed, grasses kept cut and roadbeds properly built and maintained. Provisions shall be made for controlling dust in or about the rooms in which picking or packing tables are located or the rooms in which any blanching, cooking, packing or processing is carried on.

7.55 **WATER SUPPLY.** An ample supply of water shall be available. All water used on the premises for drinking, cleaning, washing or other purposes must be safe and wholesome for the purpose for

which it is to be used, and must be approved by the State Board of Health. No potable water supply shall be cross-connected with any other unapproved water supply. Water supply lines connected to plant equipment such as picking tables, bottle or can washers, cookers, re-torts, or other utensils shall have the water lines properly installed or protected to prevent contamination of the water supply through back-siphonage or back-flow.

7.551 Drinking fountains, if provided, shall not be placed in the toilet rooms and shall be of approved sanitary types. The use of drinking cups in common is prohibited.

**7.56 MACHINERY AND EQUIPMENT.** All machinery, viners, clipper mills, conveyors (bucket or hydraulic), conveyor flumes, graders, picking tables and other equipment with which the food product comes in contact, must be so arranged as to be easily accessible for cleaning.

7.561 All machinery, conveyors (bucket or hydraulic), conveyor flumes, graders, picking tables, peeling boxes, buckets, baskets, hoppers, and all other equipment with which food products come in contact must be kept clean. Where necessary to prevent insanitary conditions, steam must be used in cleaning in connection with water.

7.562 All equipment shall be cleaned as soon as practical at the close of each day's operation and oftener if necessary to prevent insanitary conditions.

7.563 An ample supply of steam and water, hose or other equipment necessary for proper cleaning of equipment must be available. All equipment must be placed in good repair before the beginning of the season's operation and maintained in such repair throughout the season. Hose ends or nozzles shall not be allowed to lie or rest on the floor but shall be hung or racked so as to be protected at all times from contamination.

**7.57 CONTAINERS.** Proper storage must be provided for containers.

7.571 Containers must be properly cleaned immediately before being used.

7.572 Lofts or other storage space in which containers are stored shall be kept free from an accumulation of waste paper or other litter.

**7.58 CAN WASHERS.** Efficient can or bottle washers shall be used for the cleaning of cans or bottles intended for use in the bottling, canning, or packing of any food product.

7.581 Can washers shall be so arranged as to prevent the waste water from dripping on employees or dripping back into the cleaned cans or those filled with food products.

7.582 If secondhand bottles or other containers are used they shall be cleaned and sterilized in compliance with Act 305 of 1940.

**7.59 REQUIREMENTS AFFECTING EMPLOYEES.** No person having an infectious or contagious disease or infected wounds shall be employed.

7.591 Spitting on the floor or walls of factories is prohibited. No person shall, nor shall he be permitted to, smoke, chew or snuff tobacco, during working hours while at work in the handling or preparing of food.

7.592 Where a change of clothes is necessary or usual, a suitable place, with hangers, or well ventilated lockers shall be provided for clothing not in use.

7.593 Employees handling food products shall wear clean, washable clothing or aprons. Women shall wear clean caps, bands or hair nets over their hair; these caps may be either of paper or washable material.

7.594 Employees handling food shall keep their hands and finger nails as clean as the nature of their work will permit. Such employees shall wash their hands after leaving the toilet. Suitable notice to this effect shall be posted in a conspicuous place.

7.595 Separate dressing rooms shall be provided for each color and sex. Such dressing rooms shall be properly lighted, ventilated and heated.

7.60 **BY-PRODUCTS AND WASTE MATERIAL.** By-products to be used for ensilage should be put in silos, but if stacked in the open at the factory, a foundation of concrete or other impervious material must be provided to prevent soil pollution.

7.601 Suitable drains and drainage must be provided to take care of ensilage juices from silos, peavine stacks, corn-cob stacks or other similar refuse.

7.602 Adequate cribbing shall be provided for all open stacks of refuse to ensure retention of the material on the foundation.

7.603 All waste material such as waste peas, trimmings from vegetables and other waste products must be separated from the waste or wash water and conveyed to silo or stack or removed from the premises daily.

7.604 Covered gutters or drains that can be easily cleaned and kept in efficient operating condition shall be provided within the building for collecting and conducting waste or wash water to a sump or drainage pit, which shall be provided with a suitable screen or separator for removing all coarse waste material from the water.

7.61 **PRESSURE COOKERS OR RETORTS.** Steam retorts or pressure cookers used in processing foods must be equipped with:

1. A recording thermometer.
2. One or more mercury thermometers.
3. A pressure gauge.
4. Steam vents of sufficient size, properly spaced and opened for free escape of steam during cooking to maintain steam circulation within the retort.



5. Steam vents for all thermometers, unless bulbs are set wholly within the shell of the retort proper.

6. Adequately perforated pipe running throughout the length of the bottom of the retort to admit steam.

7. A drainage valve to remove condensation water.

8. Proper cooling equipment.

9. Proper circulatory equipment for water cooker.

7.611 Every establishment operating a pressure retort or cooker shall keep a production record of the cook to show the retort number, the amount, size of cans, varieties, and styles of pack in the retort; the identifying codes, time steam turned on, time cook began (i. e. when agreement reached between temperature and pressure) and reading of retort instruments at the beginning and end of the cook. Each production record is to be kept on file and signed by the retort operator.

7.612 Production records shall be kept on serially numbered printed forms and each form must be accounted for.

7.613 Recording thermometer charts shall be on serially numbered printed forms and each form must be accounted for. These charts must show full time and temperature of operation. At completion of the day's run the recording thermometer chart shall be filled in by the retort operator to show the retort number, the amount, size cans, varieties, and styles of pack in the retort; codes, pressure readings, and number of batch so that all production and cooking records are tied together.

7.62 Each factory operating to can foods in hermetically sealed containers shall submit and have approved by the State Board of Health a code to appear legibly on each can. This code shall show the plant where packed, date and year packed, the product contained in the can, and the batch number. Where only a day code is used, the entire day's output shall be considered as one batch. The plant and date code must be embossed in the tin.

## CHAPTER VIII

# WATER SUPPLIES COLD STORAGE AND ICE PLANTS

8.01 **DEFINITIONS.** For the purpose of this Code the following definitions shall apply:

A public water supply is one which is available for drinking, culinary and ablutionary use by the public, by transients, or by persons other than the immediate family of the owner of the supply.

The term "source of public water supply" shall mean any well, spring, infiltration gallery, stream, reservoir, pond or lake from which

by any means, water is taken either temporarily or continuously for drinking, culinary and ablutionary use by the public, by transients, or by persons other than the owner.

A ground water supply is one derived from underground sources such as springs, wells or infiltration systems.

A surface water supply is one derived from sources on the surface of the earth such as streams, ponds, lakes, or reservoirs.

## **8.02 GENERAL REQUIREMENTS**

(a) Every drinking, culinary, and ablutionary water supply which is hereafter constructed, or extensively reconstructed, or every existing water supply which, in the opinion of the State or local health officer, is unsafe, shall be made to comply with the requirements of this Code.

(b) No public water supply serving more than one hundred persons shall hereafter be constructed or materially altered without the approval of plans and specifications by the State Board of Health and without a written permit from said Board. Plans and specifications shall be submitted in duplicate.

(c) No public water supply serving less than one hundred persons shall hereafter be constructed, or materially altered, without the approval of the local health department.

8.021 All construction shall take place in accordance with the plans as approved by the State Board of Health.

**8.03 WATER SUPPLIED** for drinking or culinary purposes shall be:

(a) Obtained from a source free from pollution; or

(b) Obtained from a source adequately protected by natural agencies from the effects of pollution; or

(c) Adequately protected by artificial treatment.

8.031 Water supplied for drinking and culinary purposes shall be safe. It shall be clear, odorless, colorless, and not unpleasant to the taste; and shall not contain excessive amounts of soluble mineral matter or of chemicals used in treatment. When necessary a water supply should be treated to remove objectionable characteristics.

**8.04 GROUND WATER SUPPLIES.** All ground water supplies shall comply with the following requirements:

8.041 **EXCLUSION OF SURFACE WATER FROM SITE.** The site within a safe horizontal distance of the source in all directions shall not be subject to flooding and shall be so graded and drained as to facilitate the rapid removal of surface water.

8.042 **SATISFACTORY EARTH FORMATIONS ABOVE THE WATER-BEARING STRATUM.** The earth formations above the water-bearing stratum shall be of such character and depth as to exclude contamination of the source of supply by seepage from the surface of the ground.

8.043 DISTANCES TO SOURCES OF CONTAMINATION. Every ground water supply, and all appurtenances thereto, shall be located at a safe distance from all sources of contamination such as privies, cesspools, septic tanks, sub-surface tile systems, sewers, drains, barnyards, etc., and pits below the ground surface.

The horizontal distance from any such possible source of pollution shall be as great as possible, but in no case less than fifty (50) feet, except as provided under 8.044, or except as otherwise approved by the State or local health officer. If bacteriological examinations or other evidence indicate actual or potential pollution, the distance shall be increased or the location of the water supply changed, as may be required by the health officer.

8.044 SEWERAGE NEAR WELLS OR SPRINGS. No floor drain, soil pipe, main drain, or other pipe which is directly connected to a storm or sanitary sewer, or through which water or sewage from any source may back up, shall be located nearer than thirty (30') feet to any well, spring, or other source of water supply. All pipes and drains or parts thereof through which sewage or waste water flows, or into which sewage or waste water may back up, which are located within fifty (50') feet of any such water supply shall be constructed of extra heavy cast-iron soil pipe or cast-iron water pipe with leaded joints, or be of equivalent construction approved by the health officer.

8.045 LEAKAGE FROM TOILETS AND SEWERS. No toilet, sewer soil pipe, or drain shall be located over, or where leakage therefrom can reach, any water storage basin, reservoir, source of water supply, or pump room.

8.046 PITS NEAR WATER SUPPLY. There shall be no pits or unfilled space below level of ground surface, any part of which is within fifty (50') feet of such water supply, except properly constructed well, pump, or valve pits as covered under 8.054.

8.047 MINIMUM DEPTH OF CASINGS AND CURBINGS. All well and spring basin casings or curbings shall extend a safe distance below the ground surface. In no case shall the water from wells be drawn from less than a depth of ten (10') feet.

8.048 WELL CASING OR LINING. Except for driven wells, all that part of the suction pipe or drop pipe of any well within ten (10') feet of and below the ground surface, and preferably within (20') twenty feet, shall be surrounded by a watertight casing or pipe extending above the ground, platform, or floor surface as the case may be, and covered at the top, as herein provided. In case of driven wells, the top of the driven pipe shall extend above the ground, platform, or floor surface. If a well has a lower casing extending below the upper, outer casing previously mentioned, there shall be a watertight joint between upper and lower casing. The annular space between outer casing and well hole shall be tightly filled with dense concrete, impervious clay, or equivalent material; provided, that a dug well, in place of such casing pipe, may be provided with a substantial watertight lining of 1-2-4 concrete 6" thick, or of vitrified tile with outer concrete lining six (6") inches thick, or other suitable material. A double layer brick wall will



be satisfactory provided a dense brick is used and an inch-thick layer of 1 to 1 portland-cement mortar is applied either to the exterior of the brick wall or between the two rings of brick. Both the vertical and horizontal joints in the two rings of brick should be staggered. The brick should be common brick, compact in texture, hard burned entirely through, sound and uniform in quality, and free from lumps and cracks. Such lining shall extend down for a distance of at least ten (10') feet below the natural surface of the ground, and shall extend up to the well platform or pump room floor with a watertight connection. In such case the platform or floor shall have a suitable sleeve pipe surrounding the suction pipe or drop pipe and projecting above as herein provided for a casing pipe. With the approval of State health authorities, the impervious lining of dug wells in any instance may be of lesser depth.

**8.049 COVER OR FLOORS.** Every dug well, spring, or other structure used as a source of water, or for the storage of water, shall be provided with a watertight cover. Covers and every pump room floor shall be constructed of concrete or similar impervious material, and shall be elevated above the adjacent ground level and sloped to facilitate the rapid removal of water so as to provide proper drainage from the cover or floor and prevent contamination of the water supply. Such cover or floor shall be constructed so that there are no copings, parapets, or other features which may prevent proper drainage, or by which water can be held on the cover. In wells with pipe casings, the casings shall project at least six (6") inches above ground level or the top of this cover or floor, and the cover or floor shall slope away from the well casing or suction pipe in all directions. Dug well linings shall extend at least six (6") inches above the ground surface and cover up stalled thereon. The cover shall be watertight, and its edges shall overlap and extend downward at least two (2") inches over the walls or curbs of such wells.

If concrete is used, the floors, or cover slab shall be of portland cement concrete of such thickness and so reinforced as to carry the load which may be imposed upon it; but in no case less than four (4") inches thick.

**8.0410 WELL SEALS AND COVERS.** Every drilled well shall be provided with a watertight seal or overlapping cover at the top of the casing or pipe sleeve.

**8.0411 WELL VENTS.** Well vents shall be so constructed and installed to prevent the entrance of contamination.

**8.05 CONSTRUCTION AND INSTALLATION OF PUMPS.** All water pumps shall be so constructed and installed as to prevent contamination of the water supply.

**8.051 HANDPUMP HEAD AND BASE.** Every hand-operated pump shall have the pump head closed by a stuffing box or other suitable device to exclude contamination from the water chamber. The pump base shall be of solid one-piece recessed type of sufficient diameter and depth to admit the well casing as hereinafter provided. The top of the casing or sleeve of every well, equipped with such a pump, shall project into the base of the pump at least one (1") inch above the

bottom thereof and shall extend six (6") inches above the level of the platform, well cover, or pump room floor on which the pump rests. The pump shall be fastened to the casing or sleeve.

**8.052 POWER-PUMP BASE.** Where power pumps or pump motors are placed directly over the well, the pump or motor support shall have a solid, watertight metal base without openings, to form a cover for the well, recessed to admit the well casing. The well casing shall project into the base at least one (1") inch above the bottom thereof, and at least one (1") inch above the level of the foundation on which the pump rests, which in turn shall be at least six (6") inches above the top of the cover, or floor; or, in lieu of such base, an arrangement for sealing top of well which has been approved by the State Board of Health; provided, that the base or cover may have an air vent constructed as hereinafter prescribed.

**8.053** Where power pumps are not placed directly over the well, the well casing shall extend at least six (6") inches above the floor of the pump house. The annular space between the well casing and the suction pipe shall be closed to prevent entrance of contamination.

**8.054 WELL, PUMP, VALVE, AND PIPE PITS.** No well head, well casing, pump, or pumping machinery, shall be located in any pit, room, or space extending below ground level, or in any room or space above the ground which is walled in or otherwise enclosed so that it does not have free drainage by gravity to the surface of the ground, except in accordance with a design approved by the State Board of Health; provided, that this shall not apply to a dug well properly constructed as herein prescribed.

The requirements of this item shall be enforced only for water supply structures which are installed subsequent to the adoption of this Code, but existing pits shall be approved only if properly constructed in accordance with the requirements of the State Board of Health.

**8.055 MANHOLES.** Manholes may be provided on dug wells, reservoirs, tanks, and other similar water supply structures. Every such manhole shall be fitted with a watertight collar or frame having edges which project at least six (6") inches above the level of the surrounding surface, and shall be provided with a solid watertight cover having edges which overlap and project downward at least two (2") inches around the outside of the frame. Such covers shall be of standard design whenever possible, to eliminate special fittings. The cover shall be kept locked at all times, except when necessary to open the manhole.

**8.056 VENT OPENINGS.** Any reservoir, well, tank, or other structure containing water for any such water supply may be provided with vents, overflows, or water-level control gages, so constructed as to prevent the entrance of birds, insects, dust, or other contaminating materials. Openings or vents shall face downward and shall be not less than two (2') feet above the floor of a pump room, the roof or cover of a reservoir, the ground surface, or the surface of other water supply structures.

**8.06 PUMP HOUSE.** The pump house (a) shall be properly con-

structed to prevent flooding, (b) shall be provided with adequate floor drainage, and (c) shall be provided with properly designed and installed plumbing fixtures.

**8.07 LUBRICATION OF PUMP BEARINGS.** Pump bearings situated in any well below the pump room floor or platform shall be lubricated with water or oil of a safe, sanitary quality.

**8.08 PRIMING OF POWER PUMPS.** Priming type power pumps shall be primed only with water of a safe, sanitary quality.

**8.081 PRIMING OF HAND PUMPS; BUCKETS.** Hand-operated pumps shall have cylinders submerged so that priming shall not be necessary. No pail and rope, bailer or chain-bucket systems shall be used.

**8.09 PROTECTION OF SUCTION PIPES.** All subsurface suction piping leading from detached wells or reservoirs shall be adequately protected against the entrance of contamination.

**8.091 Valve boxes** shall be provided for valves on buried suction lines. Every such valve box shall project at least six (6") inches above the floor if in a room or building, and at least twelve (12") inches above the ground if not enclosed in a building. The top of the box shall be provided with a cover with overlapping edges.

**8.10 AIRLIFT SYSTEMS.** The air compressor and appurtenances for any airlift system, or mechanical aerating apparatus used in connection with a ground water supply, shall be properly installed and operated.

**8.101 CROSS CONNECTIONS.** There shall be no physical connection between a safe public water supply and any other water supply which is not of equal sanitary quality and under as rigid official supervision; and there shall be no connection or arrangement by which unsafe water may enter a safe public water supply system.

**8.11 RESPONSIBILITY OF OWNER.** It shall be the duty of the Mayor, or the person having responsible charge of a municipally owned water supply, or the proper officer of corporations, partnerships, or individuals owning a public water supply, to take all usual and also all reasonable measures and precautions to secure and preserve the safety and wholesomeness of the water supply.

**8.111 PLANT SUPERVISION AND CONTROL.** All public water supplies shall be under the supervision and control of a competent operator.

**8.112** Complete daily records, including reports of laboratory control tests, shall be kept of the operation of water treatment plants on forms approved by the State Health Officer. A copy of such records shall be furnished monthly to the State Health Officer.

**8.12 WATER SAMPLING.** Chemical analyses and bacteriological examinations of water samples, and tests for residual chlorine shall be made by approved methods and at proper intervals by the health officer or by laboratories approved by him.



**8.13 DISTRIBUTION.** The distribution system shall be designed and constructed so as to prevent leakage of water due to defective materials, improper jointing, corrosion, settling, impacts, freezing, or other causes. Adequate valves and blow-offs shall be provided so that necessary repairs can be made with a minimum interruption of service.

**8.14 STORAGE.** All reservoirs, cisterns, and storage tanks shall be of watertight construction and made of concrete, steel, or wood; provided, that wood shall not be used for reservoirs or storage tanks located wholly or partly underground.

**8.15 PROTECTION DURING CONSTRUCTION.** All water supplies which are hereafter constructed, reconstructed, or extensively altered shall be adequately protected to prevent contamination of the source during construction.

**8.16** Treatment of the supply by methods approved by the State Board of Health shall be provided to remove any objectionable characteristics or bacteria, when required by the State Health Officer.

**8.161** Well water supplies which cannot be made safe by repair or reconstruction, or by treatment of the water, shall be abandoned. The wells shall be sealed to protect the waterbearing formation against possible contamination by the following or equal means:

1. Drilled and cased wells shall be completely filled with neat cement grout, concrete, or clean puddled clay.

2. In driven wells the well point shall be withdrawn and the opening completely filled with neat cement grout, concrete, or clean puddled clay.

3. Dug or bored wells shall be completely filled with clean puddled clay, or its equal, after as much as possible of the curbing is removed.

**8.17 DISINFECTION OF WATER SUPPLY SYSTEMS.** Pipes, pumps and other parts of water supply systems shall be disinfected when necessary.

**8.171 DISINFECTION OF NEW WATER SUPPLIES.** Pumps, pipes, reservoirs and other parts of new systems shall be thoroughly disinfected by the use of chlorine or chlorine compounds before being placed in use. The rate of application of chlorine shall be in such proportion to the rate of water entering the pipe or other appurtenances that the chlorine dose applied to the water shall be at least 40 to 50 p.p.m. Chlorinated water shall be retained in the pipe long enough to destroy all non-spore-forming bacteria. The period shall be at least three hours and preferably longer, as may be directed. After the chlorine treated water has been retained for the required time, the chlorine residual at pipe extremities and at other representative points shall be at least 5 p.p.m. If the residual is less than 5 p.p.m., the sterilization procedure shall be repeated until a 5 p.p.m. residual is obtained, as required above.

**8.172** Water from new systems, or new parts of existing systems, shall not be furnished for consumer's use until laboratory tests have shown the supply to be free from bacterial contamination.

**8.173 DISINFECTION OF ACCIDENTALLY CONTAMINATED WATER SUPPLIES.** Water supply systems that may become contaminated accidentally, or otherwise, should be chlorinated continuously until the cause of the contamination has been found and corrected.

8.18 After the disinfection process has been completed, the water containing residual chlorine should be flushed from the system, and water samples should be collected for bacteriological examination. The supply should not be used for potable purposes until found free from bacterial contamination, unless the water is boiled or otherwise sterilized.

8.181 Maintenance of a residual chlorine content of 0.4 parts per million is considered an acceptable method of sterilization

**8.19 CONNECTION WITH UNSAFE WATER SOURCES FORBIDDEN.** There shall be no cross-connection, auxiliary intake, by-pass, inter-connection or other arrangement, including overhead leakage, whereby unsafe water, or water from a source that does not comply with these regulations, may be discharged or drawn into any drinking, culinary or ablutionary supply which does comply with these requirements. The use of valves, check or back pressure valves, is not an adequate protection against return flow, or back-siphonage, or for the prevention of flow of water from an unapproved source into an approved system.

8.191 For the purpose of this Code the following definitions shall apply:

**8.192 CROSS-CONNECTION.** Any physical connection whereby the approved supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings in such manner that a flow of water into the approved water supply is possible, either through the manipulation of valves or because of ineffective check or back pressure valves, or because of any other arrangement.

**8.193 AUXILIARY INTAKE.** Any piping connection or other device whereby water may be secured from a source other than that normally used.

**8.194 BY-PASS.** Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.

**8.195 INTERCONNECTION.** Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste or liquid which would be capable of imparting contamination to the approved water supply.

8.20 No plumbing fixture or device shall be supplied directly from an approved water supply system through a flushometer or other valve unless such valve is installed in such a manner and with such additional devices as are necessary to eliminate any possibility of polluting the water supply.

8.21 No plumbing fixture, device or construction shall be installed which will provide an interconnection between a distribution system for an approved drinking, culinary or ablutionary water supply and a drainage, soil, or waste pipe so as to permit or make possible the back flow of sewage or waste into the water supply system.

8.22 Water from any drinking, culinary or ablutionary supply complying with these requirements may be supplied to any other system containing water of questionable quality only by means of an independent line discharging not less than six (6") inches above the overflow level of storage units open to atmospheric pressure or by other methods approved by the health officer.

**8.23 OUTLETS FROM UNSAFE WATER SUPPLIES REQUIRED TO BE SEALED OR LABELED.** All outlets from water sources which do not comply with these requirements shall be sealed, or, at the discretion of the health officer, be provided with a permanent and easily readable tag or label reading "UNSAFE WATER, DO NOT DRINK." Removal of said label or tag, except by permission of the health officer, shall be deemed a violation of these requirements.

**8.24 BOTTLED WATERS.** All public ground water supplies put in bottles or other containers for use of consumers shall be so handled from source to the point of ultimate use as to prevent contamination of such ground waters originally obtained from approved sources.

8.25 The sale, or offering for sale, of chemicals which have not been approved by the State Board of Health for use in the treatment of water to be used for drinking or culinary purposes is prohibited.

8.26 It shall be the duty of every person or officer, having authority and control in regard to any water designated for human consumption (and within the proper sphere of the duty of each thereof), to take all usual and also all reasonable measures and precautions to secure and preserve the purity and wholesomeness of such water.

8.27 It shall be the duty of the local boards of health to have made, through proper officers, such inspection of the sources of the water supply of the several communities under their jurisdiction as may be necessary in order to ascertain whether water from same is pure and wholesome and whether the rules and regulations of this Code are complied with.

8.28 No person shall bathe, wash animals or clothing, or deposit human excreta in, or in any way contaminate any pond, lake or reservoir used as a public water supply. No person shall fish in a pond, lake or reservoir used as a public water supply without having first obtained written permission from the official in charge.

**8.29 SANITATION OF WATERSHEDS.** No cesspool, privy or other place for the deposit or storage of human excrement shall be located within 50 feet of the high water mark of any reservoir, stream, brook, or watercourse flowing into any reservoir used for drinking purposes.

8.291 No cesspool, privy or other place for the deposit or storage of human excrement shall be located within 250 feet of the high water



mark of any watercourse or reservoir as above mentioned, unless such receptacle is so constructed that no portion of the contents can escape or be washed into the stream or reservoir.

8.292 No house slops, sink wastes, or other polluted water shall be discharged on the ground, or into the ground, within 50 feet of the high water mark of any watercourse or reservoir as above mentioned, and no house slops, sink wastes or other polluted water shall be thrown on the ground within 250 feet of such waters.

8.293 No stable, pigpen, chicken house or other structure where the excrement of animals or fowls is allowed to accumulate, shall be located within 50 feet of the high water mark of any watercourse or reservoir as above mentioned, and no structure of this character shall be located within 250 feet of the high water mark of such waters unless provision is made for preventing manure or other polluting materials from flowing or being washed into such waters.

The term high water mark as used in these regulations, means the contour line which is reached by the water at its maximum level in the pond, lake or reservoir.

**8.30 REPORTING CHANGES IN PUBLIC WATER SUPPLIES.** No officer, board, corporation or other person or group of persons owning, or having by law the management or control of, any potable water supply of any municipality or water district, shall take or cause to be taken for use for potable purposes in such municipality or district, water from any auxiliary source other than the regular source or sources of public water supply, or shall discontinue the chlorination or other treatment of such supply or shall make any change whatsoever which may affect the sanitary quality of such water supply, without first having notified the local health officer or health officers of the municipalities, parishes or districts in which such water supply is used for potable purposes and affording him or them an opportunity to be heard. When such notice has been made to such health officer or health officers, the health officer or health officers shall immediately notify the State Health Officer by telephone or telegram.

8.301 A printed copy of this regulation shall be kept constantly posted in the office used by the authorities owning or having charge of a public water supply.

8.31 Cisterns used for drinking water shall be provided with a rain water cut-off, suitable to deflect the first washings of the roof and prevent contamination of the water. Cisterns shall be tightly covered, and screened with 18-mesh wire screen.

**8.32 DRINKING WATER IN FACTORIES OR OTHER INDUSTRIAL PLANTS.** Wherever a potable public water supply is available, no other supply shall be furnished for drinking purposes to employees in any factory or industrial plant, or other place of business, unless such other supply is approved by the local health officer. If no public water supply is available, the water for drinking purposes shall be of safe, sanitary quality approved by the local health officer. If the water supply for industrial or fire protection purposes is obtained entirely or in part from a source not approved for drinking purposes, this supply

shall be distributed through an independent piping system having no connection with the system carrying drinking water. All faucets or other outlets furnishing water which is not safe for drinking shall be conspicuously so marked.

**8.33 WATER SUPPLY MUST BE PROVIDED.** It shall be the duty of the owner or manager of any premises occupied as a residence, hotel, lodging house, tenement house, office building, shop, factory, or waiting room or depot of a railroad or other common carrier to provide an adequate, safe supply of water for human consumption and for sanitary purposes.

**8.331** In all cases where the owner or owners of the property or premises referred to in this Code shall not reside in the place where the property is situated, or when such property shall belong to an estate, succession or corporation, it shall be the duty of the agent, or representative of the owners thereof, or the persons who shall have charge of said property for the owners thereof, or who shall collect the rent of such premises, if the same is rented, to provide and furnish such premises with a safe and adequate water supply. In case such owner, person, or representative of the owner, shall fail or neglect to supply the same to such premises, within ten days after due notice, he shall be held responsible as owner.

**8.332 SCHOOL WATER SUPPLY.** Each public, parochial and private school shall be provided with a water supply which is approved as to source, location and distribution by state and local departments of health.

**8.333 WATER FOR EMPLOYEES.** It shall be the duty of all employers to supply an adequate, safe water supply for all employees.

**8.34 LABORATORY EXAMINATION.** Samples of water from all public supplies shall be examined at regular intervals. The laboratory making the examination, the frequency of examination, the tests used, and the standards for determining freedom from contamination shall meet with the approval of the state and local boards of health.

**8.35 PUBLIC DRINKING FOUNTAINS.** All public drinking fountains shall be of sanitary design and construction.

**8.351** Water fountains and water coolers shall be so constructed that the ice or other refrigerant used for cooling cannot come into contact with the water.

**8.352** Where water coolers or supply tanks used for drinking water are not directly connected to the source of supply, arrangements used for filling the containers must be such as to prevent contamination of the water.

**8.353** Portable hose used for filling water containers shall (1) be protected from dirt and contamination when not in use by storage in a tightly enclosed cabinet; (2) have cap to cover nozzle when not in use; (3) be provided with a metal disk at nozzle to prevent contact of nozzle with ground or floors.

**8.36 CONNECTIONS TO PUBLIC WATER SUPPLY.** All inhabited premises and buildings located within 300 feet of an approved public water supply shall be connected with such supply, unless given permission to use water from some other source by the state or local health officer.

**8.361** When the water supply of any community, railroad station, public office building, water tank, water plant, or any source of supply for human consumption, is examined by the State Board of Health and found unfit for human consumption, the public shall be notified by the posting on the source of the condemned supply of a warning metal sign (not less than 6 x 12 inches) with red background and white letters, that may be read at 120 feet.

**8.362** It shall be unlawful for any person to remove, cover up, take down or otherwise destroy the sign, or other notice placed by any board of health, health officer, or duly authorized representative of said board, warning the public "DO NOT DRINK THIS WATER."

## **COLD STORAGE AND ICE PLANTS**

**8.51 DEFINITIONS.** For the purpose of this Code the following definitions shall apply:

(a) Cold storage plants or rooms are places artificially cooled by the employment of refrigerating machinery or ice, or other means, in which articles of food and/or ice are stored at a temperature of 40°F. or lower; provided, however, that frozen food lockers for the convenience of individuals who rent such lockers for the storage of privately owned foods not intended for sale are not included.

(b) An artificial ice plant is any building, or group of buildings, used or maintained for the manufacture of ice.

(c) The term "Proprietor" shall mean any person, firm, corporation or governmental agency operating an artificial ice or cold storage plant.

(d) The term "Personnel" shall mean any person who may in any manner come in contact with artificial ice during its manufacture, storage or distribution, or with foods in cold storage.

**8.52 WATER SUPPLY.** The water supply used by an artificial ice plant to make ice shall meet the requirements of this Code for safe water supplies.

**8.53 CROSS-CONNECTIONS.** Physical connections between a safe water supply and an unsafe water supply are prohibited.

**8.54 EQUIPMENT.** Equipment used at ice plants, such as can fillers, core fillers, core suckers, etc., shall not be permitted to come in contact with the floor or other sources of contamination.

**8.55 ICE REMOVAL FROM CANS.** Submerging or spraying of ice cans for removal of ice cakes, in or with unsafe water, is prohibited.



**8.56 TOILET FACILITIES.** Clean and adequate toilet and lavatory facilities shall be provided for use of employees at artificial ice plants and cold storage plants. The doors of toilet rooms shall not open directly into the brine or freezing rooms. Soap and clean individual towels shall be furnished.

**8.57 HEALTH OF PERSONNEL.** No person affected with any disease in a communicable stage shall be employed in an artificial ice or cold storage plant, or in the delivery or distribution of ice.

**8.58 SPITTING.** Spitting in the ice plant and cold storage rooms is prohibited.

**8.59 SCREENS.** Outside openings of artificial ice or cold storage plants must be properly screened with 16-mesh wire, or otherwise protected against the entrance of flies and other insects. All necessary fly and other insect control must be employed.

**8.60 AIR BLOWERS.** The air intake of air blowers used at artificial ice plants shall be so located or protected as to ensure the use of a safe and clean air supply.

**8.61 CLEANLINESS.** Floors of the brine rooms, ice storage and cold storage rooms, toilets, and all other appurtenances must be kept clean. Employees working on brine tanks or in ice storage rooms shall wear rubbers or rubber boots, which shall not be worn elsewhere.

Cold storage plants shall be kept free from rust, fungus growths, molds and slime.

Meats and foods shall not be placed in direct contact with ice, or upon the flooring of cold storage rooms. Bins, racks or other receptacles used for the storage of meats and foods shall be kept in a sanitary condition.

**8.62 CONSTRUCTION OF COLD STORAGE PLANTS OR ROOMS.** Storage in any basement, room or receptacle which is subject to sewerage or waste water backflow, or in any place having defective drain pipes or appliances, is prohibited. Floors shall be constructed of tight, sound, smooth material, free from cracks and easily cleanable. The cold storage rooms shall be constructed and maintained rat-proof.

All cold storage rooms shall be properly lighted by natural or artificial means.

**8.63 RECORDS.** It shall be the duty of every person, firm or corporation operating a cold storage plant to keep an accurate record of the receipts and withdrawals of all goods stored therein.

All goods stored in such an establishment shall be identified by a code or lot number, which number shall be entered in the record book at the time such goods are accepted for cold storage.

Any qualified agent of the State Board of Health shall have free access to these records at any reasonable time during working hours.

**8.64 UNWHOLESOME FOOD.** No article of food shall be placed in cold storage if it shows evidence of decomposition, or of other conditions which would make it unfit for food.

**8.65 DISTRIBUTION OF ICE.** Ice intended for human or domestic consumption shall not be placed on streets, sidewalks, roads or alleys, or transported through such streets, sidewalks, roads or alleys, unless protected in a sanitary manner.

Wagons and other vehicles from which ice is sold or delivered, and all factories, shops, storerooms, pantries and other places where ice is handled for sale, service or consumption, must be thoroughly clean and in a sanitary condition, and must be kept free from all dirt, dust, trash, or any other substance or matter which is liable to become mixed with, or enter into, the ice, or anything prepared with ice, so as to contaminate or render it unclean or insanitary.

**8.66 CRUSHING OF ICE.** Crushed or ground ice intended for human or domestic consumption shall be crushed or ground in a sanitary manner.

The crushing or grinding of ice on wagons, trucks or other vehicles used to deliver ice to be used for human or domestic consumption is strictly prohibited.

Crushed or ground ice intended to be used for human or domestic consumption shall be thoroughly washed before being placed in the crusher or grinder. The crusher or grinder shall be located in a satisfactorily covered building or structure, and shall be maintained in a sanitary condition so that the ice will be protected from dust, dirt, flies, insects and other contaminating sources during the grinding or crushing operation.

Crushed or ground ice intended to be sold or delivered for human or domestic consumption from wagons, trucks or other vehicles shall be stored in satisfactorily covered containers. Where crushed or ground ice containers are re-used, the containers shall be properly cleaned between each usage.

**8.67 PERMITS.** No person, firm or corporation shall operate a cold storage or ice plant without a permit to operate issued by the State Board of Health. Application for a permit to operate shall be made on a form provided for that purpose by the State Board of Health. Upon receipt of such an application, a qualified representative of the State Board of Health shall inspect the plant and, if it is found to be in a satisfactory sanitary condition and properly equipped to carry on the type of operation for which application has been made, a permit shall be issued for the balance of the calendar year. All such permits shall expire on December 31 of the year issued, and must be renewed on or before the 1st of January of the following year.

**8.68 REVOKED PERMITS.** Should any cold storage or ice plant, or any part thereof, be found in an insanitary condition when inspected by any qualified inspector, the permit under which the establishment is operating shall be subject to revocation or suspension

until the insanitary conditions have been corrected or eliminated after due notice has been served upon the owner or manager of the cold storage or ice plant. The operation of such an establishment without a permit, or the continued operation after a permit has been revoked or suspended, shall constitute a violation of this Code.

**8.69 STORAGE TIME LIMITS.** No person, firm or corporation operating any cold storage plant or renting space therein shall keep any article of food in cold storage for a longer period than twelve (12) months, unless application has been made to the State Board of Health and permission has been granted to continue such article in cold storage. Permission may be granted to extend the period of cold storage beyond twelve (12) months if the goods in question are found upon examination by a qualified inspector to be in a satisfactory condition for further storage. The length of time for which further storage is allowed shall be specified in granting permission for extended storage time.

**8.70 SALE OF COLD STORAGE GOODS.** It shall be a violation of the Sanitary Code to sell or offer or expose for sale uncooked articles of food which have been held in cold storage without advising or notifying persons purchasing, or intending to purchase, such articles of food that they have been held in cold storage; and it shall be unlawful to represent or advertise as "fresh", articles of food which have been held in cold storage.

**8.71 TRANSFER OF COLD STORAGE GOODS.** It shall be a violation of the Sanitary Code to return to cold storage any article of food which has once been released from storage and placed on the market for sale. But nothing in these regulations shall be construed as preventing the transfer of goods from one cold storage plant to another; provided, such goods are properly refrigerated during such transfer and; provided further, that such transfer is not made for the purpose of evading any provision of these regulations.

## CHAPTER IX

# SWIMMING POOLS—BATHING BEACHES

**9.01 DEFINITIONS.** For the purpose of these regulations the following terms are defined:

**9.011 ARTIFICIAL SWIMMING POOL.** Any outdoor or indoor pool which is entirely of artificial construction and provided with a controlled water supply.

**9.012 BATHING PLACE.** Any body of water together with buildings and appurtenances in connection therewith, used collectively by numbers of persons for swimming or recreational bathing.

**9.013 PARTLY ARTIFICIAL SWIMMING POOL.** Any pool formed artificially from a natural body of water.

**9.014 SWIMMING POOL.** Any artificial or partly artificial pool, together with buildings and appurtenances in connection therewith,



used for swimming or recreational bathing by the public or groups of persons as members of clubs, associations or other organizations.

**9.015 TURNOVER.** The ratio of the volume of clean water entering the pool in twenty-four (24) hours to the total pool volume.

**9.02 GENERAL PROVISIONS.** The provisions of these regulations shall apply throughout the State and shall affect any person or persons, group, firm, corporation, partnership, institution, association, municipality, parish, or other body providing or operating any swimming pool or bathing place.

**9.03 PLANS AND SPECIFICATIONS.** Plans and specifications for the construction of new swimming pools, accompanied by such data as may be required, shall be submitted, in duplicate, to the State Board of Health. No pool shall be constructed until a letter approving the plans and specifications has been received. No deviation from said plans and specifications shall be made unless the proposed changes have been submitted to, and have received the written approval of, the State Board of Health. No change shall be made in existing swimming pools or appurtenances thereof, until the plans and specifications therefor shall first have been submitted to, and received the written approval of the State Board of Health.

**9.04 BACTERIAL QUALITY OF ARTIFICIAL SWIMMING POOL WATER:** Not more than fifteen (15%) per cent of the samples covering any considerable period of time shall contain more than two (200) hundred bacteria per ml, or shall show positive test (confirmed) for the coli-aerogenes group, in any or five ten ml. portions of water at times when the pool is in use. All primary fermentation tubes showing gas should be confirmed.

**9.05 CHEMICAL AND PHYSICAL QUALITY OF ARTIFICIAL SWIMMING POOL WATER:**

(a) **EXCESS CHLORINE.** Whenever chlorine, calcium hypochlorite, or other chlorine compounds, without the use of ammonia, are used for swimming pool disinfection, the amount of available or excess chlorine in the water at all times when the pool is in use shall not be less than 0.4 p.p.m., or more than 0.6 p.p.m. Whenever chlorine or chlorine compounds are used with ammonia, the amount of available or excess chlorine shall not be less than 0.7 p.p.m., or more than 1.0 p.p.m.

(b) **ACIDITY-ALKALINITY.** Whenever alum or sulphate of alumina is used during purification or repurification of swimming pool waters, the water at all times when pool is in use shall show an alkaline reaction. The hydrogenion content of the pool water shall not fall below 7.0.

(c) **CLEARNESS.** At all times when the pool is in use the water shall be sufficiently clear to permit a black disk 6 inches in diameter on a white field, when placed on the bottom of the pool at the deepest point, to be clearly visible from the side walks of the pool at all distances up to 10 yards measured from a line drawn across the pool through said disk.

(d) **TEMPERATURES.** The water in any swimming pool should not be artificially heated to a temperature above 78°F. The temperature of the air at any artificially heated swimming pool must not be permitted to become more than 8°F. warmer nor more than 2°F. colder than the water in the pool, at any time when the pool is in use.

**9.06 ARTIFICIAL SWIMMING POOLS.** The following regulations shall apply to artificial swimming pools.

**9.061 ARRANGEMENTS.** The pool should not be less than 60 feet in length. There shall be an adequate area of deep and shallow water. There shall be no sudden changes of bottom slope within the shallow depths of water. The slope of the bottom of any part of the pool where the water is less than 6 feet deep shall not be more than one foot in each fifteen (15) feet.

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**9.062 MARKING.** The one foot increment of depths should be marked on the sides of the pool.

**9.063 INLETS AND OUTLETS.** A sufficient number of inlets shall be provided and so located as to provide adequate circulation through the pool. A sufficient number of outlets shall be provided to permit complete draining of the pool in four hours. Openings of the outlets shall be at least four times the size of the discharge pipe and shall be covered with a suitable grating.

**9.064 SCUM GUTTER.** A scum gutter shall extend completely around the pool. The scum gutter shall be so designed to be easily cleanable and so that material entering it will not be washed out by sudden surge of entering water, and that dangers of bathers catching arms or feet in it be reduced to a minimum. A sufficient number of drainage outlets shall be provided to carry away water entering the scum gutter during surface flushing.

**9.065 STEPS, LADDERS AND STEP HOLES.** A sufficient number of steps or stairways shall be provided and so constructed as to minimize danger of accidents.

**9.066 GENERAL CONSTRUCTION.** The pool walls shall be vertical, and the walls and floors shall be constructed with white tile or light colored cement or other impervious material. The surfaces shall be smooth and permit of easy cleaning.

**9.067 RUNWAYS OR SIDEWALKS.** Runways or sidewalks at least four feet wide and extending completely around the pool shall be provided. They shall be properly drained, easily cleanable and constructed of a non-slip material.

**9.068 VISITORS GALLERY.** There shall be an absolute separation of the space used by spectators from that used by bathers. There shall be no means by which bathers can enter space reserved for spectators, or vice versa. Visitors' quarters must have a separate entrance. Galleries for spectators shall not overhang any portion of the pool surface. Floor and foot rail of the gallery shall be of tight construction to prevent dirt which is tracked in from getting into the pool. The gallery floor should slope to a drain and should be flushed down with a hose regularly. Seats in galleries should be of non-

absorbent construction to permit washing. The drainage from the spectators area should in no case be allowed to drain upon the area used exclusively by bathers. A curb or other arrangement should be used to prevent litter and dirt from being kicked or scuffed by spectators into the pool or pool area.

9.069 DRESSING ROOMS. Separate dressing rooms shall be provided for each sex. Floor shall be well drained, impervious to moisture and constructed of non-slip material. Walls and partitions shall be constructed of smooth, impervious material, without open cracks or joints. Screens shall be placed at the entrances and exits of dressing rooms to break the line of sight.

9.06910 SHOWERS, TOILETS AND LAVATORIES. An adequate number and type of showers, toilets and lavatories shall be provided for both sexes. Urinals and toilets shall be so located that bathers will use them before entering the showers on their way to the swimming pool. All equipment shall be properly maintained. Sewage shall be disposed of in a manner conforming to the provisions of this Code.

9.0611 FOOT BATHS. A foot bath shall be provided at every exit from the dressing rooms to the pool. The foot bath shall contain a fungicidal solution, in adequate concentration, as a protection against "ringworm" infection, and should be of a sufficient size to insure contact with the bathers' feet as they pass to the pool.

9.0612 DISINFECTION. Disinfection shall be employed where there is an appreciable bathing load in the swimming pool. The disinfection of the water shall be continuous and, when chlorine alone is used, the water shall contain at least 0.4 parts per million residual chlorine; or 0.7 parts per million residual chlorine when chlorine with ammonia is used, as determined by the orthotolidin test.

9.0613 TURNOVER. The turnover of clean water entering the pool daily shall not be less than two. The term "clean water," shall mean water from an approved source of water taken from the pool and returned after effective filtration and disinfection.

9.0614 INTERCONNECTIONS. There shall be no physical connection between a potable public or private water supply system and a pool structure at a point below the maximum flow line of the pool, or to the recirculation system of the swimming pool, unless such physical connection is so installed and operated that no pool water can be discharged or siphoned into a potable water supply system.

9.0615 CLEANLINESS. The bottom and sides of pools shall be kept reasonably free from sediment and visible dirt. Visible scum or floating matter on the surface of the pool shall be removed at least once each day.

9.0616 BATHING LOAD. An adequate pool area shall be provided in the pool to prevent overcrowding. The total number of bathers permitted to use the pool during any one period shall not exceed one person for each five (500) hundred gallons of water in the pool. If bacteriological analysis of the pool water indicates that the pool is



being overcrowded, the total number of bathers allowed to use the pool during any one period shall be reduced until safe load limits are established.

**9.07 PARTLY ARTIFICIAL SWIMMING POOLS AND BATHING PLACES.** No partly artificial swimming pool or bathing place shall be maintained or operated in a natural body of water when such water is determined by the State Board of Health to be so polluted as to constitute a menace to health if used for bathing.

**9.071** The local health officer shall determine the maximum number of bathers who may utilize a partly artificial swimming pool or bathing place and the quantity of fresh water which must be discharged into any swimming pool in any given period of time; the treatment, if any, the water in the pool or bathing place shall receive; and the number of dressing rooms, showers, toilets and/or any other appurtenances that shall be provided to maintain sanitary conditions at the pool or bathing place.

**9.08 LIGHTING.** A complete system of artificial lighting shall be provided for all pools, bathing beaches, bath houses, and dressing rooms which are to be used at night. Lighting shall be sufficient to light all parts of bathing areas.

**9.09 VENTILATION.** All indoor pools, and all bath houses, dressing rooms, shower rooms and toilets at both indoor and outdoor pools and bathing places, shall be properly ventilated. Ventilation of indoor pools shall be so designed that direct draft will not blow on bathers.

**9.10 DIVING TOWERS, SPRING BOARDS AND FLOATS..** Diving towers, when provided, shall be rigidly constructed and properly anchored to the bottom with sufficient bracing to ensure stability under the heaviest possible load.

Floats or fixed platforms in the water shall be constructed with an air space of at least one (1) foot beneath. All braces, struts, etc., shall be designed to prevent entanglement or trapping of bathers beneath the platform.

At least thirteen (13) feet free and unobstructed headroom must be provided above diving boards. A safe depth of water shall be provided for diving from various elevations. No diving board or platform shall be more than ten (10) feet above water level.

Spring boards, diving platforms and floats shall be covered with non-slip material.

**9.11 EMERGENCY EQUIPMENT.** Pole-hooks, ropes, buoys and other necessary life saving equipment shall be provided and be readily accessible at all pools and bathing places.

A first-aid kit completely equipped shall be provided for emergency use at all pools and bathing places.

**9.12 SUPERVISION OF BATHERS.** One or more life guards shall be on duty at swimming pools and bathing places during all bathing hours. The life guards shall be capable swimmers, competent in life saving methods and in methods of artificial resuscitation. The life guards shall be in full charge of bathing and have authority to enforce all rules of safety and sanitation.

An attendant shall be on duty at the shower room or entrance to the swimming pool or bathing place to inspect all bathers for skin diseases, open lesions, etc., and to ensure that a proper cleansing bath has been taken.

At least one person trained in first-aid shall be among the pool personnel.

**9.13 PERSONAL REGULATIONS.** All persons using a swimming pool shall be required to take a cleansing shower bath in the nude, using soap and water and thoroughly rinsing off all soap suds, before entering the pool. All bathers shall be required to rinse their feet in the solution in the foot bath before entering the pool.

A bather leaving the pool for any reason shall take a foot bath before returning. A bather leaving the pool to use the toilet shall be required to take a second cleansing bath before returning.

All bathers shall be instructed to use the toilet and particularly to empty the bladder before taking a cleansing bath and entering the pool.

Any person having a skin disease, sore or inflamed eyes, cold, nasal or ear discharges, or any communicable disease shall be excluded from a public swimming pool.

Spitting, spouting of water, blowing the nose, etc., in the pool is strictly prohibited.

No boisterous or rough play, except supervised water sports, shall be permitted in the pool, on the runways, diving boards, floats, platforms, or in dressing rooms, showers, etc.

**9.14 POSTING REGULATIONS.** Placards reciting regulations 9.13 shall be posted conspicuously at the pool or enclosure and in the dressing room and offices of all pools and bathing places.

## CHAPTER X.

# SEWERAGE AND WASTE DISPOSAL REFUSE—GARBAGE—RUBBISH—ASHES STABLE REFUSE

**10.01 APPROVAL OF PLANS.** No person, partnership, or corporation shall provide or install a sewerage system, or make extensive changes to an existing system, until duplicate plans and specifications therefor have been submitted to, and approved by, the Louisiana State

Board of Health, and a written permit has been secured from said Board.

**10.02 CONTROL OF SEWAGE.** When the volume of flow and stream conditions are unsatisfactory for disposal of sewage or other waste material by dilution into surface water, the sewage shall be treated in such a manner as will conform to the requirements of the State Board of Health.

**10.021** It shall be the duty of every person or officer, having any authority over and control of the maintenance or operation of sewage treatment plants or sewage disposal systems, to take all usual and also all reasonable measures and precautions to secure and ensure the proper operation and maintenance of said sewage treatment plants or sewage disposal systems.

**10.03** No industrial waste which may cause objectionable changes in the quality of water used as a source of public water supply shall be discharged into any lake, pond or stream, underground water stratum, or into any place from which the waste may flow, or be carried into a source of water supply, except in accordance with a permit from the State Board of Health and unless the wastes are so treated as to remove objectionable characteristics. Plans and specifications for the treatment of industrial wastes which may effect water supplies shall be submitted to the State Board of Health for approval.

**10.04 SEWAGE USED FOR IRRIGATION.** All sewage or sewage plant effluents used for irrigating purposes shall be treated in such a manner as will conform to the requirements of the State Board of Health. No sewage or sewage effluents shall be used for irrigating purposes without a written permit from the State Board of Health.

**10.05 RECORDS.** At the request of the State Health Officer, copies of reports and suitable daily analyses and records of daily operations shall be submitted monthly to the State Board of Health.

**10.06** Every hotel, restaurant, residence, sleeping apartment, factory, mill, store, workshop, mercantile establishment, theater, picture show, or other place where people are employed, live or congregate, shall be provided with one or more toilets or privies, one seat for every twenty-five persons, or fraction thereof, with separate apartments for the sex and color, and they shall be provided with proper wash and dressing rooms with hand washing facilities, and kept at all times in a cleanly state and free from effluvia arising from drain, privy, or otherwise. In public places, stores, etc., the toilet shall be plainly designated for color and sex and provided with a supply of toilet paper; and no person shall be allowed to enter or use any such toilet or privy assigned to persons of the other color or sex.

**10.061** All schools in the State shall be provided with adequate toilets and lavatories, properly constructed and maintained.

**10.07 CONNECTIONS TO SEWERAGE SYSTEMS.** Where there is an established sewerage system and ample water supply, all soil and waste fixtures located on premises within three hundred (300) feet of sewer main or lateral shall be connected therewith.



**10.08 MINIMUM PLUMBING REQUIREMENTS.** All plumbing installations shall comply with the State Sanitary Code.

**10.09 REQUIREMENTS FOR COMFORT STATIONS.** All comfort stations which are made available for use of patrons of establishments, or for the use of the general public, shall comply with the following requirements:

**10.091 WATER PRESSURE.** The pressure and volume of water shall be sufficient to ensure effective flushing of toilets and urinals.

**10.092 CONSTRUCTION AND CLEANLINESS OF TOILETS AND URINALS.** Toilets and urinals shall be constructed of vitreous or other approved material, the surface of which is smooth, hard, impervious and not easily corrodible, shall be of rim flush type, and shall be properly vented and trapped. All joints shall be tight. The construction shall be such as to provide ample flushing action to ensure cleanliness. Installations made subsequent to the adoption of this Code shall be constructed in a manner approved by the State Department of Health to prevent back-siphonage of the toilet or urinal contents. All toilets and urinals shall be kept clean and in good repair.

**10.093 TOILET ROOMS.** All toilets and urinals shall be located in well lighted and well ventilated rooms and shall be conveniently accessible to approved handwashing facilities. All toilet rooms shall be kept clean and in good repair.

**10.094 APPROVED HAND WASHING FACILITIES.** Handwashing facilities shall comply with the following requirements:

(a) **Lavatory.** The lavatory shall be composed of vitreous or other approved material, the surface of which is smooth, hard, impervious, and not readily corrodible. Taps connected with the lavatory shall be so installed as to discharge at least one inch (1") above the level at which the lavatory will overflow upon the floor.

(b) **Water Supply.** The water supply used in connection with said lavatory shall comply with the requirements of this Code for safe water supplies.

(c) **Soap and Towels.** Soap in a suitable dispensing container and single service paper towels, or some other form of individual towel service approved by the health officer, shall be provided.

**10.10 BUILDING SEWER LINES.** Sewer lines used to conduct sewage from a building to a private sewage treatment plant or sewerage system shall be constructed of cast iron, vitrified clay, or other approved material, with bituminous or oakum and cement joints.

**10.11 SEPTIC TANKS.** Septic tanks may be used only in the absence of public sewerage. The septic tank shall comply with the following requirements:

(a) **Location.** Septic tanks shall be located at least fifty (50') feet, or such distance as may be specified by the State Board of Health, from any well, spring, or other water supply structure, and, if possible, upon ground at a lower elevation.

(b) **The Capacity and Design** of the tank shall be approved by the State Board of Health. In no case shall the tank have a capacity of less than five hundred (500) gallons and a liquid depth of less than four (4') feet. Septic tanks shall be of watertight construction, built either of reinforced concrete or other materials not subject to corrosion or decay.

(c) **The Septic Tank Effluent** shall be disposed of in a manner approved by the State Board of Health. The discharge of septic tank effluents into street gutters, ditches or onto the surface of the ground is strictly prohibited. Plans for the construction of a septic tank may be obtained from the State Board of Health.

**10.12 SUBSURFACE DISPOSAL SYSTEMS.** Where soil conditions are satisfactory, subsurface tile systems may be used for the disposal of effluents from septic tanks, or other settling tanks approved by the State Board of Health. The subsurface tile system, when used, shall comply with the following requirements:

(a) **LOCATION.** Subsurface tile systems shall be located at least fifty (50') feet, or such distance as may be specified by the State Board of Health, from any well, spring, or other drinking water supply structures.

(b) **THE LENGTH AND CONSTRUCTION** of the subsurface tile system shall be subject to the approval of the State Board of Health. One or more "percolation tests" shall be made at the proposed site to determine the feasibility of such a system. Where conditions are found to be satisfactory, the result of the percolation test or tests shall be used to determine the required linear feet of subsurface tile system to be used. The method of performing the percolation test and for construction of a subsurface tile system may be obtained from the State Board of Health.

**10.13 PIT TOILETS.** Pit toilets or pit privies shall be permitted to be used only in the absence of public sewerage. The pit toilets or pit privies shall comply with the following requirements:

(a) **LOCATION.** Pit toilets shall be located at least fifty (50') feet, or such distance as may be specified by the State Board of Health, from any well, spring, or other source of water supply and, if possible, upon ground at a lower elevation. In loosely stratified and limestone formations where water supplies may be polluted, chemical toilets or concrete vault toilets may be required by the health officer.

(b) **PLANS AND SPECIFICATIONS.** Pit toilets or pit privies shall be installed only in accordance with the plans and specifications which have been specifically approved for each installation by the State Board of Health, or local health officer. Plans for the construction of a sanitary pit privy may be obtained from the State Board of Health.

(c) **MAINTENANCE AND OPERATION.** The following shall be considered defects in pit toilet installations:

(a) **Evidence** of caving around the edges of the pit;

- (b) **Signs of overflow** or other evidence that the pit is full;
- (c) **Seat covers open**;
- (d) **Broken, perforated, or unscreened vent pipes**;
- (e) **Uncleanliness** of any kind in the toilet building;
- (f) **Evidence** of light entering the pit except through seat when seat cover is raised.

**10.14 CONCRETE VAULT TOILETS.** Concrete vault toilets may be used where public sewerage is not available and where earth pit toilets or other subsurface disposal systems might contaminate water supplies. All such concrete vault toilets which are constructed, or are required to be constructed by the local health officer, shall be constructed in accordance with plans approved by the State Board of Health.

**10.15 PAIL TOILETS AND CHEMICAL TOILETS.** Pail toilets or pail privies and chemical toilets may be used when public sewerage is not available and where soil conditions are unsuitable for the use of earth pit toilets or other subsurface disposal systems. All such pail toilets or pail privies and chemical toilets which are constructed, or are required to be constructed by the local health officer, shall be subject to approval by the State Board of Health.

**10.16 DISPOSAL OF WASTES FROM CONCRETE VAULT TOILETS, CHEMICAL TOILETS AND PAIL TOILETS.** The wastes from concrete vault toilets, chemical toilets and pail toilets shall be buried as far as possible from wells or other sources of water supply, or removed to other places where water supplies will not be polluted, and where nuisances will not be created. The wastes shall not be discharged into streams, ponds, or other bodies of water or onto the surface of the ground.

**10.161** No person shall empty, or attempt to empty, any vault, sink, or privy in any community, except pursuant to a permit therefor first obtained from the local board of health.

**10.162** No person shall convey through any street, road, or public way, any foul or offensive matter, except in air tight containers, so as not to be offensive to smell or injurious to health.

**10.17 OTHER METHODS OF SEWAGE TREATMENT.** Other methods of sewage treatment, where permitted or required by the health officer, shall be installed only in accordance with plans and specifications which have been specifically approved for each installation by the State Board of Health.

**10.18** No cesspool, vault, leaching pool or pit used for the disposal of sewage or other waste material shall be installed where contamination of the ground water supply may occur. The approval of such type of disposal shall be obtained from the local health officer. In no case shall the cesspool, vault, leaching pool or pit be located within fifty (50') feet of any well, spring, or other water supply structure.



10.19 The contents or effluent from any vault, sink, lavatory, privy, cesspool, or leaching pit shall not be discharged into any street, gutter, ditch, or onto the surface of the ground.

#### **REFUSE—GARBAGE—RUBBISH—ASHES**

10.50 **REFUSE, GARBAGE RUBBISH, ETC.** For the purpose of these regulations the following definitions shall apply:

10.501 **REFUSE.** The term "refuse" shall include garbage, rubbish, ashes, and all other putrescible and nonputrescible wastes, except human sewage, from all public and private establishments and residences.

10.502 **GARBAGE.** The term "garbage" shall include all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognized industrial by-products, and shall include all such substances from all public and private establishments and from all residences.

10.503 **RUBBISH.** The terms "rubbish" shall include all nonputrescible wastes, except ashes, from all public and private establishments and from all residences.

10.504 **ASHES.** The term "ashes" shall include the waste products of coal and other fuels used for heating and cooking from all public and private establishments and from all residences.

10.51 **ACCUMULATION OF REFUSE.** No owner or lessee of any public or private premises shall permit to accumulate upon his premises any garbage except in covered containers approved by the health officer. Such containers shall be constructed in such a manner as to be strong, watertight, not easily corrodible, rodent-proof, insect-proof, and shall be kept covered at all times except when refuse is being deposited therein or removed therefrom. In case garbage and other types of refuse are disposed of separately, separate containers may be required by the health officer.

10.511 The bodies of vehicles used for the collection and transportation of garbage shall be so constructed as to be watertight and easily cleaned. They shall be covered except when being loaded.

10.52 **DISPOSAL OF GARBAGE AND OTHER REFUSE.** All disposal of garbage and other refuse shall be by a method or methods specifically approved by the State Board of Health; provided that:

(a) Said methods shall include the maximum practicable rodent, insect, and nuisance control at the place or places of disposal; and

(b) No garbage shall be fed to hogs unless said garbage has first been heated to at least 212°F. and held there at least thirty (30) minutes in apparatus and by methods approved by the health officer; and

(c) Animal offal and carcasses of dead animals shall be buried or cremated as directed by the health officer, or shall be rendered at forty (40) pounds per square inch steam pressure or higher, or heated by equivalent cooking.

10.53 No house refuse, offal, garbage, dead animal, decaying vegetable matter, or organic wastes of any kind shall be thrown upon any street or road.

10.531 No garbage dump or place of deposit shall be maintained at any point in the State unless provision is made for prompt and proper disposal of the material deposited. Destruction shall be by incineration, or other effective means to prevent the breeding of flies, the harboring of rats, or the creating of a nuisance.

10.532 No such refuse, putrescible, decaying animal or vegetable matter shall be allowed to remain in any house, cellar, outhouse, or on premises in any incorporated or unincorporated village, town or city, or built-up community for a sufficient period to cause a nuisance.

10.533 No person shall throw or deposit any garbage, offal, night soil, dead carcasses of animals or filth into, or where same would drain into, any public or private well, cistern or other water supply.

10.534 No garbage or waste destruction plant shall be built unless plans for same have been approved by the State Board of Health. No place of disposal for garbage or wastes shall be maintained except by permit of the local Board of Health.

10.54 The handling of garbage and other refuse for the purpose of salvage shall not be allowed except by permission of the local health officer, and under proper supervision.

#### STABLE REFUSE

10.60 Every owner, lessee or manager of any stable, or stall, in the built-up portions of any community, in which any horses, cattle or other animals shall be kept, or of any place in which manure, stable refuse, or any liquid discharge of such animals shall collect or accumulate, shall cause such manure, stable refuse, or liquid, to be properly and promptly removed therefrom, and shall at all times keep, or cause to be kept, such stables, or stalls, and the drains, yards and appurtenances thereof, in a clean and sanitary condition, so that no offensive odors shall be allowed to escape therefrom. Manure shall be kept in covered containers, or shall be treated to prevent the breeding of flies.

10.61 It shall be the duty of every such owner, lessee or manager of any stable to cause all manure and stable refuse to be removed daily from such stable, or stable premises, unless the same are pressed in bales, barrels or boxes. It shall not be lawful to remove manure and stable refuse and to dispose of this material, except as authorized by written permit from the parish or municipal health officer.

10.62 Vehicles used for the removal of manure and stable refuse shall be loaded within the stable premises, and not upon the street or sidewalk.

10.63 No manure vault or receptacle shall be built, or used, on any premises except pursuant to the terms of a permit granted therefor by the parish or municipal health officer.

## CHAPTER XI

# CAMPS

11.00 For the purpose of this Code the following definitions shall apply:

11.01 **Person.** A corporation, co-partnership or association as well as a natural person.

11.02 **FAMILY.** One person living alone or a group of two or more persons living together in an apartment whether related to each other or not.

11.03 **APARTMENT.** A room or suite of rooms which is occupied or intended or designed to be occupied by one family or person for living and/or sleeping purposes in a House Court.

11.04 **HOUSE COURT.** Any building or structure containing more than two apartments or any group of two or more separate buildings or structures containing one or more apartments each located on a parcel of land or contiguous parcel or parcels of land under the ownership or operation of one person, which building or structure or any portion thereof is, with the expressed consent of the owner or person legally in charge of the land upon which such House Court is located, designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence or living quarters of two or more families or persons living independently of each other.

11.05 **CAMP CAR AND/OR TRAILER.** Any unit used for living and/or sleeping purposes and which is equipped with wheels or similar devices used for the purpose of transporting said unit from place to place, whether by motive power or other means.

11.06 **CAMP.** Any place where one or more tents, cabins, camp cars or trailers are erected or maintained for hire, used for hire, used, intended, or designed to be used as living or sleeping quarters for one or more families or persons, or where space is rented for the placing of such tents, cabins, camp cars, or trailers; or where free camping is permitted with or without tents, cabins, camp cars, or trailers, or where one or more tents, cabins, camp cars or trailers are established for living or sleeping purposes with the expressed consent of the owner or person legally in charge of the land upon which such camp is located.

11.07 **SQUATTER.** One who settles or locates on land enclosed or unenclosed with no bona fide claim or color of title or without the expressed consent of the owner or person legally in charge of the land.

**SQUATTER CAMP.** An area of land occupied by one or more squatters.

11.08 It shall be unlawful to construct, reconstruct, or maintain, or to begin the operation of, or to operate a House Court or Camp upon any public or private property, except as herein otherwise specified; and it shall be unlawful to occupy for living and/or sleeping purposes,



or to reside in any established House Court or Camp, without permission so to do from the owner or person legally in charge of the land upon which such House Court or Camp is located, or from the owner or person legally in charge of such House Court or Camp.

11.09 It shall be unlawful for any persons, firm or corporation maintaining, operating or conducting any House Court, Camp or Squatter Camp, or for any person residing therein, or any other person, to violate, or to contribute in any way to the violation of, any of the provisions of this Code.

11.091 Whenever the wheels are removed from a trailer, truck or trailer house, or it is mounted on blocks to give any degree of permanency, then all other sections of this Code pertaining to permanent structures shall be complied with.

11.10 It shall be unlawful for any person, firm or corporation to maintain, conduct or carry on, or cause or permit to be maintained, conducted or carried on, any House Court or Camp in which three (3) or more families reside unless such premises shall be provided at all times with a resident caretaker.

11.11 Cooking shall not be permitted in any bathroom, toilet room, closet, garage, sleeping room or other compartment used for sleeping purposes; and sleeping shall not be permitted in any room or other compartment used for cooking purposes in any building or structure in any House Court.

11.111 Forty (40) square feet shall be the minimum floor area for kitchen. No kitchen shall have less than nine (9) square feet of window area. All required windows, doors, and similar openings must be fully protected with screens. All windows shall be constructed so that at least half of each window can be opened.

11.112 Partition walls between cooking and sleeping rooms in any building or structure in any House Court shall extend at least five (5') feet from the floor. Partition walls between other compartments and sleeping rooms shall extend from the floor to the ceiling, or to the roof if there is no ceiling.

11.12 It shall be unlawful to use or permit to be used for sleeping purposes any room in any building or structure in any House Court which does not contain at least six hundred and forty (640) cubic feet of air space; and if such room is occupied by more than two persons, the cubic air space of such room shall be increased by not less than five hundred (500) cubic feet for each additional person the room is designed, built or intended to accommodate, or that such room does accommodate, for sleeping purposes. All existing rooms used for sleeping purposes shall be provided with ventilation to such an extent as will meet the approval of the Parish Health Officer.

11.13 Fly-tight metal containers shall be provided for the disposal of garbage and refuse, at least one for each House Court or Camp; and at least one (1) depository shall be located within one hundred (100') feet of each unit space.

11.131 Garbage cans shall be emptied at least once a day, and shall not be allowed to become foul-smelling or breeding places for flies.

11.14 No House Court or Camp shall be so located that the drainage of the camp area will endanger any water supply. All House Courts or Camps shall be well drained and located in areas reasonably distant from ponds, swamps and similar places where mosquitoes may breed.

11.141 Each unit or site reserved for the accommodation of a House Court or Camp shall not be less than seven hundred (700) square feet. Each unit shall be clearly defined by proper markers at each corner, and shall not be less than twenty (20) feet in width. Each House Court or Camp shall abut or face on a driveway or roadway of not less than twenty (20') feet in width, well marked in the day-time and well lighted at night, said driveway or roadway to be so located that each unit is easily accessible. All entrances and exits from the House Court or Camp shall be well marked and so arranged that they will be easily controlled and supervised.

11.142 No House Court or Cabin shall be planned or erected within less than five (5') feet from the property line of adjoining property. No House Court or Cabin shall be located closer than twenty (20') feet to a street, avenue, boulevard, terrace, court or place.

11.15 Every building, structure, camp car, trailer, tent or other habitation in a House Court or Camp, and all of the premises of every House Court or Camp shall be kept clean and sanitary in every part and free from all accumulation of debris, filth, rubbish, garbage or other offensive matter.

11.16 It shall be the duty of the owner or person legally in charge of the land upon which any House Court or Camp is located, or of the operator or person in charge of such House Court or Camp, to see that all of the buildings, structures, tents and equipment in connection therewith, regardless of ownership, are maintained in good repair, and that the habitations are in such condition as to afford protection to the occupants against the elements and so as to exclude dampness in inclement weather. The roofs shall be kept waterproof, and all storm or casual water properly drained and conveyed therefrom to the street sewer, storm drain or street gutter, or otherwise disposed of in a manner so as not to create an insanitary condition.

11.17 No habitations or shelters constructed of sacks, rags, bush, cans, weeds or refuse material of an objectionable nature, or any combination of the foregoing, shall be permitted in any House Court or Camp; and it shall be the duty of the owner or person legally in charge of the land upon which any House Court or Camp is located, or of the operator or person in charge of such House Court or Camp, where any such construction exists, to have it removed from the premises or demolished.

11.18 A supply of water safe for human consumption shall be provided in ample quantity to meet all requirements of the maximum number of persons using such House Court or Camp at any one time.

Said water supply shall be easily obtainable from its source, or through a pipe distribution system from which faucets shall be located not more than one (100') hundred feet from any House Court or Camp, within such ground. If the water supply is obtained from a well or wells, said well or wells must comply with the provisions of this Code.

11.181 Special hoses shall be kept for the filling of water tanks on house trailers, and shall be stored off the ground under sanitary conditions when not in use. The hoses shall be used for no other purpose than the watering of house trailers, and shall be so handled and used that they may not cause contamination of water either in house trailer tanks or in the water supply system.

11.19 No fires shall be at any time so located as to endanger automobiles or other property in any House Court or Camp. No fires shall be left unattended at any time on the exterior premises of any House Court or Camp, and all camp fires shall be completely extinguished before camping party leaves.

11.20 All sewage, garbage and rubbish from every House Court or Camp shall be disposed of in a sanitary manner, in compliance with the regulations of this Code.

11.21 At least one privy or water closet must be provided at every House Court or Camp, for each sex, for every ten apartments, tents, camp cars, trailers or other habitations. No House Court habitation, or habitation in a Camp, shall be a greater distance than two hundred (200') feet from both men's and women's toilets, which shall be plainly indicated by proper sign. The interior of all toilet buildings shall be kept clean and properly lighted and ventilated. At least one urinal shall be provided in each toilet building for males.

11.211 Every privy now existing, or hereafter erected in a House Court or Camp shall be constructed or reconstructed in conformity with the regulations of the State Board of Health. All non-conforming privies existing at the time of the passage of these regulations which are not constructed to meet the requirements hereinabove set forth, shall be demolished and the pits properly filled with earth.

11.212 All plumbing in House Courts or Camps shall comply with the rules and regulations of the State Board of Health, and with any and all local ordinances pertaining to plumbing and the disposal of sewage and other water-carried wastes.

11.213 All sewage and wastes from water carriage systems should be disposed of wherever possible into a municipal sewer system. When a city sewer system is not available, disposal shall be into a private system which includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health, and which is approved by the State Board of Health.

11.214 Where a sewerage system is available a sewer connection shall be made at each camp for connection to the combined liquid waste outlet of trailers. The type of connection used shall conform to the rules and regulations of the State Board of Health.



11.215 No water flush toilets may be used in trailers unless connected to a sewerage system in accordance with the State and municipal requirements and to the rules and regulations of the State Board of Health.

11.22 One lavatory shall be provided for every toilet building.

11.221 Separate showers with hot and cold water shall be provided for both males and females, and the buildings containing them shall be conveniently located. The buildings shall be well constructed, having good natural and artificial lighting, adequate ventilation, and floors of concrete or similar impervious material. The interior walls and ceilings of such buildings shall be of smooth material painted with a light colored paint. One shower head shall be provided for each twenty (20) units of the House Court or Camp. Wooden or cloth mats, grids, boards or walkways inside the building are prohibited.

11.222 All floors in shower and toilet rooms shall be disinfected daily by the use of chlorine compounds or other materials, in strength approved by the State Board of Health.

11.23 A two-compartment laundry tub with running water should be provided for each ten (10) units or fractions thereof. Waste water shall be disposed of in a sanitary manner in such a way as to meet the approval of the State Board of Health.

11.24 Dogs at no time shall be permitted to run at large in any House Court or Camp.

11.25 It shall be the duty of the owner or resident caretaker of any House Court or Camp to report immediately to the Parish Health Officer, by telephone and in writing, any person residing in such House Court or Camp having, or reasonably suspected of having, any infectious or contagious disease.

11.26 In addition to the other requirements herein set forth, all buildings, structures or tents used or intended or designed to be used for human habitation hereafter erected in any House Court or Camp, shall meet the following minimum requirements; and it shall be the duty of the owner or person legally in charge of the land upon which said House Court or Camp is located or of the operator or person in charge of such House Court or Camp, to see that the following requirements are complied with:

11.261 All floors, exterior and interior walls, ceilings and roofs of House Court buildings shall be constructed of a good grade of surfaced lumber or other impervious material, and shall be kept clean at all times.

11.262 Every House Court sleeping room must have a floor area of at least eighty (80) square feet and be not less than seven (7') feet in width at any point within that portion of the room measure for computing the minimum area of eighty square feet; and every living room, sleeping room or kitchen in a House Court building must have a ceiling height of at least eight (8') feet. Attic rooms, or rooms

where sloping ceilings occur, need only have the prescribed ceiling height in not less than one-half ( $\frac{1}{2}$ ) the area of the room.

11.263 Every living room, or sleeping room, or kitchen, in every House Court building shall be provided with windows, the area of which shall be equal to at least one-eighth ( $\frac{1}{8}$ ) of the floor area, except that in no event shall the aggregate window area of any living room or sleeping room be less than twelve (12) square feet.

11.264 The windows of all rooms in a House Court must open onto unobstructed areas of adequate dimensions, located on the same lot as the House Court building they are designed to serve, and must be arranged so that at least one-half ( $\frac{1}{2}$ ) of their required aggregate area can be opened unobstructed to the sky.

11.265 If a kitchen is provided in any House Court building, it must be equipped with running water and a sink; and the drainage from such sink must be disposed of in a sanitary manner.

11.266 No toilet room shall be permitted to open directly into a kitchen or other room in which food is prepared or stored.

11.267 All beds, bunks, cots, or other sleeping places shall be provided with pillows, pillow slips, under sheets and top sheets. Sheets must be of sufficient width and length to cover completely the mattress and spring. Sheets and pillow slips after being used by one guest must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

11.268 Clean individual towels shall be provided for each guest in public wash rooms or toilets; any standard paper towels may be used.

11.269 Two clean individual towels shall be provided for each guest in each sleeping room. Towels shall not be less than ten (10") inches wide and fifteen (15") inches long after being washed. Towels must be washed and ironed before used by a succeeding guest.

11.270 It shall be the duty of the owner, or the person legally in charge of the land upon which any House Court or Camp is located, or of the operator or person in charge of such House Court or Camp, to see that all of the provisions of these regulations are complied with.

11.271 Each House Court or Camp shall be provided with a building to be known as the office, in which shall be kept copies of all records pertaining to the management and supervision. The records shall be available at all times to the State Board of Health and to the Police Department.

11.272 The manager or caretaker of the House Court or Camp shall keep a record of all guests, noting (1) the name and address of each occupant, (2) date of arrival, (3) name of the owner of each automobile, (4) make of automobile, (5) the State in which automobile is registered, (6) registration number of automobile, (7) year of issue of registration. This record shall be open at all times to inspection.

**11.273 ISSUANCE AND REVOCATION OF PERMIT.** No person shall operate a camp in Louisiana without a permit to operate, issued by the State Board of Health. Application must be made annually to the State Board of Health for a permit to operate a camp, on forms provided for the purpose. Upon receipt of such application, inspection shall be made of the camp by a representative of the State Health Officer, and if said inspection indicates compliance with all of the provisions of these regulations, a permit will be issued for the operation of the camp for a period of one year. The permit shall be posted conspicuously over the registration desk in the office of the camp.

Should the inspection show failure to maintain the standards of sanitation required by this Code or failure to comply with directions issued by an accredited representative of the State Board of Health concerning the improvement of any insanitary condition in connection with the camp, the permit may be revoked.

## **CHAPTER XII**

# **HOTELS, LODGING HOUSES, BOARDING HOUSES**

**12.01** For the purpose of this Code the following definitions shall apply:

**HOTEL.** A building where transient guests are received without stipulated engagement as to the duration of their stay and are supplied with, and charged for, meals or lodging or both, and such services and attention as are necessarily incident to the use of such places as a temporary abode.

**LODGING HOUSE.** A building or group of buildings where persons are supplied with, and charged for, sleeping accommodations but not meals.

**BOARDING HOUSE.** A building or group of buildings where persons are supplied with, and charged for, sleeping accommodations and meals for fixed periods of time.

**12.02 WATER SUPPLY.** Water supplied to hotels, lodging houses and boarding houses for drinking, culinary and ablutionary purposes shall be adequate and of safe sanitary quality. Only water which is of safe sanitary quality shall be delivered or piped so as to be accessible for drinking, culinary and dishwashing purposes.

Water supplied to hotels, lodging houses and boarding houses shall conform to the requirements of this Code.

**12.03** Where a water treatment process is employed, accurate and complete daily reports on the operation thereof shall be kept and submitted at monthly intervals to the local health officer, on a form prescribed by the State Health Officer. If the hotel, lodging house, or boarding house is located in a parish or parishes without full-time health service, the report shall be sent to the State Health Officer.



12.04 Any failure of adequate treatment, change in treatment, process or equipment, or any change in source of water supply, shall be reported immediately to the State Health Officer.

12.05 The use of a drinking cup in common is prohibited. All drinking fountains shall be of sanitary design and construction.

12.051 Hotels, lodging houses and boarding houses shall furnish each guest with clean linen or cotton individual towels in each room occupied by such guest, and also in the public lavatories and washroom of such places; and with clean sheets and pillow slips for the bed, bunk, or cot to be occupied by such guest. Sheets must be of sufficient width and length to cover completely the mattress and spring. At least one lavatory with a supply of liquid or powdered soap shall be provided in each toilet room. All towels, sheets and pillow slips used by one guest shall be washed, dried and ironed before being furnished to another guest. The use of towels in common in public places is prohibited.

**12.06 APPROVED TOILET AND SEWAGE DISPOSAL FACILITIES TO BE PROVIDED.** Convenient and adequate toilet facilities shall be provided. Toilets and toilet rooms and method of sewage disposal shall conform to the requirements of this Code.

12.061 Unless otherwise permitted by the local health officer of the area in which the establishment is located, no privy shall be within one hundred (100) feet of any place where food is prepared or served.

12.07 Garbage shall be deposited in conveniently located, water-tight containers, provided with close fitting metal covers properly adjusted at all times, or otherwise protected from animals, flies and other insects. The contents shall be removed as often as necessary to prevent decomposition and overflow, and disposed of in accordance with the regulations of this Code.

**12.08 PROTECTION OF FOOD SUPPLIES.** Adequate provisions shall be made for sanitary storage, handling and protection of food and milk supplies, in compliance with the regulations of this Code.

**12.09 DISHWASHING.** Adequate facilities, including a plentiful supply of hot water, for washing dishes and utensils, shall be provided. Dishes and utensils shall be washed, cleansed and disinfected effectively after each use, as outlined in Chapter VII.

**12.10 COMMUNICABLE DISEASES.** No person known to have a communicable disease in an infectious stage, or to be a carrier of such a disease, shall be employed in a hotel, lodging house, or boarding house in any capacity, or admitted thereto unless properly isolated. However, this requirement shall not apply to persons with tuberculosis housed in establishments approved by health officers for the housing of tuberculous persons.

(a) When no physician is in attendance, it shall be the duty of the person in charge of any hotel, lodging house, or boarding house to report immediately to the local health officer the name and address of

any individual in such an establishment known to have, or suspected of having, a communicable disease. Until official action on such a case has been taken, strict isolation shall be maintained.

(b) Whenever there shall occur in any hotel, lodging house or boarding house an outbreak of suspected food poisoning or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, or jaundice is a prominent symptom, it shall be the duty of the person in charge of such establishment to report immediately the existence of such an outbreak, or the unusual prevalence of illness to the local health officer, in person, or by telegram or telephone. Local health officers shall exercise due diligence in ascertaining the existence of such outbreaks or the unusual prevalence of illness in hotels, lodging houses and boarding houses.

12.11 It shall be unlawful to rent, let, hire out, or allow to be used for a place of sleeping or residence, any portion or apartment of any building, wherein the floor is damp by reason of water from the ground, or which is impregnated or penetrated by an offensive gas, smell or exhalation prejudicial to health; but this article shall not apply to those rooms rented or occupied, that are not used as sleeping apartments.

12.12 All outside openings of hotels, lodging houses and boarding houses shall be screened with 18-mesh wire.

12.13 Ice of assured bacterial quality only shall be made available to guests, and it shall not be permitted to come in contact with unclean or contaminated hands or receptacles.

12.14 The walls, ceilings and floors throughout any hotel, lodging house or boarding house shall be thoroughly clean and kept in a sanitary condition at all times.

12.141 Sleeping rooms shall be adequately lighted and properly ventilated by natural or artificial means or both, and also provided with adequate heating facilities for comfort of the occupants.

All rooms used for sleeping purposes shall be so constructed as to provide sufficient air and floor space.

12.15 **PROPRIETOR RESPONSIBLE.** It shall be the duty of the proprietor or person in charge of each establishment to which this Chapter applies to see that all regulations herein are observed.

The manager, caretaker or owner of all hotels, lodging houses and boarding houses shall keep a record of all guests, noting (1) the name and address of each occupant; (2) date of arrival; (3) date of departure. This record shall be open at all time to inspection.

## **CHAPTER XIII**

# **STREET CARS AND PUBLIC VEHICLES**

13.0 Every street car, railroad car, bus, taxicab or other public vehicle used for the carrying or transportation of passengers shall, on

every day on which it may be used for the carrying and transportation of passengers, be carefully and thoroughly washed and cleaned, so that all filth and dirt will be removed from the inside of the car.

13.1 Spitting on the floors of street cars, railroad cars or other public vehicles, and of ferryboats, is hereby forbidden.

13.2 It shall be unlawful for any persons or persons to carry, or for any common carrier to transport in any passenger coach, or on any platform or part thereof, within the State, whether the same be alive or dead, any fish, game, poultry, animal or animal farm produce whatever, unless the same be carried in a container or package which will preclude any possibility of the same coming into contact with the seats or any part of the car in which the same is carried.

13.3 It shall be unlawful for express companies or railways to haul livestock, or live animals, not crated, in cars containing milk, and, if crated, livestock shall be kept at least ten feet away from the nearest milk.

## CHAPTER XIV

# REGULATIONS GOVERNING COMMON CARRIERS

14.01 **PERSONS NOT ALLOWED TO TRAVEL.** No person knowing or suspecting himself to be afflicted with plague, cholera, smallpox, typhus fever (epidemic) or yellow fever shall apply for, procure or accept transportation in any railway train, car or other conveyance of a common carrier, nor shall any person apply for, procure or accept such transportation for any minor ward, patient or other person under charge if known or suspected to be so afflicted.

14.02 **PERSONS ACCEPTED FOR TRAVEL.** Common carriers shall not accept for transportation in any railway train, car, or other conveyance any person known by them to be afflicted with any of the diseases enumerated in Article 14.01.

14.03 **RESTRICTED TRAVEL.** Common carriers shall not accept for transportation on any railway train, car, or other conveyance any person known by them to be afflicted with diphtheria, measles, scarlet fever, meningococcus meningitis, anterior poliomyelitis, mumps, whooping cough, influenza, pneumonia, epidemic encephalitis, septic sore throat, rubella, or chicken pox, or any person known to be a carrier of these diseases, unless such person is placed in a compartment separate from other passengers, is accompanied by a properly qualified nurse or other attendant, and unless such nurse or attendant shall agree to comply and does comply with the following regulations:

(a) Communications with the compartment within which the patient is traveling shall be restricted to the minimum consistent with the proper care and safety of the patient.

(b) All dishes and utensils used by the patient shall be placed in a 5 per cent solution of carbolic acid or other fluid of equivalent



disinfecting value for at least one hour after they have been used and before being allowed to leave the compartment.

(c) All sputum and nasal discharges from the patient shall be received in a piece of gauze or paper, which shall be deposited in a paper bag or in a closed vessel, and shall be destroyed by burning, or disinfected by immersing for at least one hour in a 5 per cent solution of carbolic acid or other solution of equivalent disinfecting value.

(d) Said nurse or attendant shall, after performing any service to the patient, at once cleanse the hands by washing them in a 2 per cent solution of carbolic acid or other fluid of equivalent disinfecting value.

**14.04 TYPHOID FEVER, PARATYPHOID FEVER AND DYSENTERY.** Common carriers shall not accept for transportation on any railway train, car or other conveyance any person known by them to be afflicted with typhoid fever, paratyphoid fever, or amebic or bacillary dysentery, or any person known to be a carrier of these diseases, unless said person is placed in a compartment separate from other passengers and is accompanied by a properly qualified nurse or other attendant who shall agree to comply, and does comply, with the following regulations:

(a) Communication with the compartment in which the patient is traveling shall be limited to the minimum consistent with the proper care and safety of the patient.

(b) All dishes and utensils used by the patient shall be placed in a 5 per cent solution of carbolic acid or other fluid of equivalent disinfecting value for at least one hour after they have been used and before being allowed to leave the compartment.

(c) All urine and feces of the patient shall be received into a 5 per cent solution of carbolic acid or other fluid of equivalent disinfecting value, placed in a covered vessel, thoroughly mixed, and allowed to stand for at least two hours after the last addition thereto before being burned, destroyed or emptied.

(d) A sheet of rubber or other impervious material shall be carried and shall be spread between the sheet and the mattress of any bed that may be used by the patient while in transit.

(e) Said nurse or attendant shall use all necessary precautions to prevent the access of flies to the patient or his discharges, and after performing any service to the patient shall at once cleanse the hands by washing them in a 2 per cent solution of carbolic acid or other fluid of equivalent disinfecting value.

(f) If a person with typhoid fever, paratyphoid fever, or amebic or bacillary dysentery is presented at a railway station in ignorance of these regulations and his transportation is necessary as a life-saving or safeguarding measure, an emergency may be declared by the local health officer or station master and the patient may be carried a reasonable distance in a baggage car if accompanied by an attendant responsible for his care and removal: provided, that regulations (a),

(b), (c), (d), and (e) of this article shall be complied with in so far as the circumstances will allow, and that all bedding, clothing, rags, or cloths used by the patient shall be removed with him. And provided further that any parts of the car which have become contaminated by any discharges of the patient shall be disinfected as soon as practicable, but not later than the end of the run, by washing with a 5 per cent solution of carbolic acid or other fluid of equivalent disinfecting value.

#### **14.05 RESTRICTED APPLICATION FOR TRANSPORTATION.**

No person knowing or suspecting himself to be afflicted with any of the diseases mentioned in Articles 14.03 and 14.04 hereof shall apply for, procure, or accept transportation in any railway train, car or other conveyance of a common carrier, nor shall any person apply for, procure or accept such transportation for any minor, ward, patient, or other person under his charge if known or suspected to be so afflicted, unless he shall have agreed to and made all necessary arrangements for complying, and does comply, with the regulations set forth in said Articles 14.03 14.04.

14.051 Permission for travel of persons having any of the diseases mentioned in Articles 14.03 and 14.04 shall be granted by the local health officer at the point of embarkation, and he shall notify the health officer at the point of disembarkation.

**14.06 SUSPECTED CASES.** If a conductor or other person in charge of a railway train, car or other conveyance of a common carrier, or an agent or other person in charge of a railway or bus station, shall have any reason to suspect that a passenger, or a person contemplating passage is afflicted with any of the diseases enumerated in Articles 14.01, 14.03 and 14.04 hereof, he shall notify the nearest health officer, or company physician if the health officer is not available, by the quickest and most practicable means possible, of his suspicion; and said health officer or physician shall immediately proceed to the train, car, or other conveyance at the nearest possible point, or to the railway or bus station, to determine whether such disease exists.

**14.07 DISPOSITION.** If the health officer or physician, as provided for in Article 14.06, shall find any such person to be afflicted with any of the diseases enumerated in Articles 14.01, 14.03 and 14.04 hereof, he shall remove such person from the station or conveyance, or shall isolate him and arrange for his removal at the nearest convenient point; shall treat the car or other conveyance as infected premises, allowing it to proceed to a convenient place for proper treatment if in his judgment consistent with the public welfare, in such case notifying the health officer in whose jurisdiction the place is located; and shall take such other measures as will protect the public health; provided, that, if not prohibited in Articles 14.01 and 14.02 hereof, the afflicted person so found may be allowed to continue his travel if arrangements are made to comply, and if he does comply, with the requirements of the article of these regulations pertaining to the disease with which he is afflicted.

**14.08 LEPROSY.** Common carriers shall not accept for transporta-

tion or transport in any railway train, car or other conveyance any person known by them to be afflicted with leprosy, unless such person presents permits from the Surgeon General of the United States Public Health Service or his accredited representative, and from the State Department of Health of the states from which and to which he is traveling, stating that such person may be received under such restrictions as will prevent the spread of the disease, and said restrictions shall be specified in each instance; and no person knowing or suspecting himself to be afflicted with leprosy, nor any person acting for him, shall apply for, procure or accept transportation from any common carrier unless such permits have been received and are presented, and unless the person so afflicted agrees to comply, and does comply, with the restrictions ordered. If any agent of a common carrier shall suspect that any person in a train, car or other conveyance, or at a railway or bus station, is afflicted with leprosy, he shall proceed as directed in the case of other suspected diseases in Articles 14.06 and 14.07 hereof.

**14.09 PULMONARY TUBERCULOSIS.** Common carriers shall not accept for transportation any person known by them to be afflicted with pulmonary tuberculosis in a communicable stage, unless said person is provided with (a) a sputum cup made of impervious material and so constructed as to admit of being tightly closed when not in use; (b) a sufficient supply of gauze, papers, or similar articles of the proper size to cover the mouth and nose while coughing or sneezing; (c) a heavy paper bag or other tight container for receiving the soiled gauze, paper, or similar articles; and unless such person shall obligate himself to use the articles provided for in the manner intended, and to destroy said articles by burning or to disinfect them by immersing for at least one hour in a 5 per cent solution of carbolic acid or other solution of equivalent disinfecting value; nor shall any person knowing himself to be so afflicted apply for, procure or accept transportation unless he shall have agreed to and made all necessary arrangements for complying and does so comply with the regulations as set forth in this article.

**14.10 CONVEYANCES VACATED BY INFECTED PERSONS.** Immediately after vacation by a person having any of the diseases mentioned in Articles 14.01, 14.03 and 14.04, any berth, compartment or stateroom should be closed and not again occupied until properly cleaned and disinfected; and all bedding, blankets, and linen in any such space should be laundered or otherwise thoroughly cleaned and disinfected before being again used.

## CHAPTER XV SCHOOLS—PUBLIC BUILDINGS

**15.01** The parish and city boards and the superintendents of schools shall be held primarily responsible for the execution and enforcement of the rules and regulations of this code and all other health laws governing the hygiene of the school room and the premises of schools under their respective jurisdiction. The State Department of Education has a concurrent responsibility in these matters.<sup>1</sup>



15.02 All plans and specifications for new school buildings, public and private, hereafter erected in the State of Louisiana, and for major additions and alterations to existing buildings, shall be submitted to the State Board of Health for review and approval, in order that it may be determined if adequate provision is made for the promotion and protection of the health and safety of the school children, teachers, and employees. It shall be unlawful to construct school buildings of any type unless, and until, the plans and specifications therefor have been approved, in writing, by the State Board of Health and the State Department of Education.

15.03 Every schoolhouse, public or private, and any other buildings used for educational purposes, shall conform to the requirements of the Sanitary Code.

15.031 Minimum requirements for classrooms are as follows:²

1—The regulations regarding schools were developed with the co-operation of the State Department of Education. School buildings should conform to the requirements of the State Department of Education as well as to the requirements of the Sanitary Code.

2—These are minimum requirements as to building design and construction, but do not necessarily represent best practice.

Floor area—a minimum of 20 sq. ft. per pupil.

Cubic space—6,600 cu. ft. predicated on a class enrollment of 30 pupils.

Window area for each classroom shall be one-fifth to one-fourth of the floor area.

Classroom ventilation shall provide a fresh supply of air at least every hour.

15.032 All doors of any type, in school buildings, except doors which slide into wall sockets, shall open outward. All exterior doors to classroom buildings shall be equipped with panel bars for the unlocking of said door from the inside and for the safe exit of pupils and teachers at all times.

15.033 Adequate provision shall be made for artificial light.

In classrooms light sources shall be so arranged as to avoid glare and to distribute light uniformly.

The following amount of illumination (artificial light) shall be considered as minimum requirements:\*

LOCATION	AMOUNT OF LIGHT (Foot Candles)
Classrooms—on desks and blackboards; study halls, lecture rooms, libraries—on desks and tables .....	15
Offices—on desks .....	15
Sewing rooms, drafting rooms, art rooms and other rooms where fine detail work is to be done—on the work .....	25

Shops, laboratories—on the work .....	15
Gymnasiums—main exercising floor, wrestling, playrooms, swimming pools, basketball, handball, boxing .....	15
Auditoriums, assembly rooms, cafeterias and other similar rooms not used for study .....	6
Locker rooms, corridors, stairs, passageways, toilets, and all indoor areas traversed by students .....	4
Sight-saving Classrooms—on desks and black- boards .....	30

\*These specifications are those approved by the American Standards Association.

15.04 All rooms of school buildings shall be maintained in a clean and sanitary condition. Method of maintenance must be such as to minimize the creation of dust and objectionable odors. Constant and special attention must be given to the sanitary upkeep of toilet rooms and fixtures so as to provide at all times clean, attractive, and pleasing toilet rooms for pupils and teachers.

15.05 No person suffering from tuberculosis in a communicable stage, or from any other communicable disease, shall be employed in any school in this State, public or private, as a teacher, janitor, cook in lunch room, bus driver, or in any other capacity which brings him or her in direct contact with the pupils.

15.051 At the opening of each annual term such employees must furnish a certificate from a registered physician on a suitable form, certifying that they are free from tuberculosis or other communicable disease. (Laboratory and chest X-ray diagnostic facilities are available to physicians for this work, upon their request.)

15.052 The Parish Superintendent of Education or the State Health Officer, or his representative, may require any teacher, janitor, or other employee of the school to submit to a thorough physical examination, including laboratory tests and other diagnostic tests, such as X-ray, deemed advisable to determine whether they have a communicable disease in an infectious stage.

15.06 No pupil suffering from any communicable disease shall be permitted to attend the schools of the State, public or private.

15.061 The principal has the right to exclude any child from the school who is suspected of having any communicable disease, pending an examination and report by a registered physician or by the health officer.

15.07 Schools may be closed in order to prevent the spread of communicable diseases when, in the opinion of the State Health Officer, or local health officer, this is considered necessary.

15.071 Whenever any city or parish health officer is informed of the existence of any disease in a communicable stage in any household, it shall be his duty to notify the parish or city superintendent of

schools, or the principal of any school not under the jurisdiction of the parish or city board of education patronized by the infected household. The health officer shall prohibit the attendance of any person from the infected household at any public or private school until, in his opinion, there is no longer danger of such child or person carrying infection.

15.072 Whenever the parish or city superintendent of public education is notified of the existence of disease in a communicable stage in any household sending children to public schools within his jurisdiction, he shall notify the principal or teacher of said school to refuse admission to any pupil residing in any infected household until such pupil, or pupils, shall present a permit to attend school, issued by the local health officer. This regulation applies with equal force to private school officials, principals, and pupils.

15.073 Parents, guardians, and others in charge of any household wherein there exists any disease in a communicable stage, are forbidden to allow any child, or children, or person to attend any private or public school until a permit of attendance is secured from the local health officer.

15.074 Whenever any communicable disease occurs in the person of any pupil attending, or any teacher employed in, any public or private school, and whenever the local or State Health Officer has reason to believe proper measures to prevent the further spread of the disease are not instituted and carried out, the health officer is empowered, and it is made his duty, to institute such control measures as are necessary, which may include the closing of the school.

15.075 In any parish in which smallpox has been declared by the State or parish board of health to be prevalent, and in which the vaccination of school children has been recommended by the State Health Officer, or by a majority of the parish board of health, no person shall attend, or be entered as a pupil of, any private or public school without furnishing the principal of said school a satisfactory vaccination certificate. For the purpose of this regulation a vaccination certificate to be satisfactory must state date of last vaccination, must be signed by a physician licensed to practice in Louisiana, and must state either that the pupil has been successfully vaccinated within five years prior to the date of certificate or that the pupil has been twice vaccinated unsuccessfully within one year prior to the date of certificate. No certificate of successful vaccination shall be satisfactory after five years from date of vaccination. No certificate of unsuccessful vaccination shall be satisfactory after one year from the date of vaccination.

15.076 The State Health Officer is empowered to close any public or private school in the State, when, in his opinion, such closing is necessary to protect public health and is for the common good. Said school shall not reopen until permitted by the State Health Officer.

15.08 Every school in the State shall be provided with an adequate supply of safe, potable water. The quality of the water and the supply system shall conform to the requirements of this Code. The use of



uncovered receptacles for handling and storing drinking water in schools and the use of dippers or cups, used in common, is strictly prohibited. This regulation must be enforced by the proper school and health officials. Sanitary drinking fountains shall be installed where water under pressure is available. Drinking fountains shall meet the following specifications: The fountain shall be of impervious material and of a type that will not permit the mouth of the user to come in contact with the nozzle or permit water to drip back upon the nozzle. The orifice of the nozzle shall be above the overflow level of the structure. The fountain shall be entirely separate and apart from the lavatories and sinks. Fountains shall not be located in toilet rooms. Where sanitary fountains are not provided, covered containers with faucets must be provided and kept clean. Individual drinking cups or glasses shall be provided.

15.09 Adequate provision shall be made for proper disposal of trash and garbage. For garbage—impervious cans with tight-fitting covers shall be provided, and disposal shall be made in a manner to conform to the requirements of this Code. For trash—containers of non-combustible material shall be provided, and accumulation of trash and similar materials in closets, lockers, and under stairways is prohibited. Oily materials, mops, brushes, etc., or other materials subject to spontaneous combustion, shall be kept in tightly covered metal containers.

15.10 All schools in the State, public and private, shall be provided with adequate toilets and lavatories. Separate toilet rooms and lavatories shall be provided for each sex. The location of toilet rooms, number of fixtures, commodes, urinals, and lavatories shall conform to standards set up by the State Department of Education, which shall be approximately one toilet and urinal for each twenty-five boys, and one toilet for each twenty-five girls. Where a sewerage system is available, the school must make connection therewith; where not available, disposal of human waste by septic tanks or sanitary pit privies shall be provided.

15.101 Where water supply under pressure is available, water closets with proper plumbing shall be provided.

15.102 Lavatory and toilet rooms shall be properly lighted and ventilated, provided with soap and individual towels, and maintained in a clean condition.

15.11 School premises shall be properly drained and maintained in a clean condition, and free from physical hazards.

15.12 All schools maintaining lunch rooms for the service of lunches to school children shall comply with the general sanitary requirements for public eating places and beverage bars, as established by Articles 7.05 through 7.0518 of Chapter VII of this Code.

15.121 Single service paper utensils should be used whenever equipment is inadequate to provide proper sterilization for multiple service utensils.

## PUBLIC BUILDINGS

15.20 Every public or government building in this State, and every railroad depot, office building, theater, lecture hall, auditorium, hotel, restaurant, boarding house, hospital, and other places where numbers of people congregate, must be properly lighted, heated, and ventilated.

Each such place shall be provided with a thermometer for each assembly room, lobby, hall, dining room, restaurant or other enclosed space where numbers of people congregate for entertainment or business, and it shall be the duty of those in charge of such places, on those days when artificial heat is necessary for the comfort of the public, to make and keep a record of the thermometer readings between the hours of 8 and 9 a. m., and between 5 and 6 p. m. This record shall be kept at all times open for inspection by the Board of Health or its official representatives. This regulation shall also apply to railroad passenger coaches, sleeping and dining cars.

15.21 Potable and wholesome drinking water must be provided for all occupants.

15.22 Public buildings shall be kept clean. Sweeping shall be done when the building is free from usual occupants, and in such a manner as to prevent the spread of dust.

15.23 No feather dusting or dry dusting shall be practiced, except the pneumatic process.

15.24 Burlap, coco, Japanese or Chinese matting, or other absorbent covering, shall not be used on the floors of assembly halls, dining rooms, halls and stairways.

15.25 Spitting on the floors or steps is hereby prohibited.

15.26 Urinals and water closets must be provided in all public buildings and connected with the public sewer where possible. Where no sewer system exists and privies are used, they must be in accordance with the specifications of the Louisiana State Board of Health.

15.27 No janitor, elevator tender, porter, or other employee suffering from any communicable disease shall be employed in any public building in this State

15.28 Toilet rooms in railway stations and other buildings shall be readily accessible, the floors covered with tiling, or some covering impervious to water, scrubbed daily with soap and water, and provided with water for lavatory purposes, and with cuspidors; said rooms shall not have less than four (4) square feet per toilet of window opening, which shall be screened with 16-mesh wire.

15.29 The site of all public buildings must be thoroughly drained, and no waste or stagnant water allowed to collect. Cisterns and other water containers must be screened against mosquitoes with 16-mesh wire screen.

15.30 Wherever under any provision of this Code it is made the duty of any person, firm or corporation to observe the regulations

herein laid down for the keeping clean, or sanitation, of any railroad coach, car, station, factory, workshop or other public place, or place where persons are employed, the responsibility for the violation of such rules shall rest upon the superintendent, foreman, overseer or other employee whose duty it is ordinarily to see to the cleanliness or sanitation of such railroad coach, car, station, workshop or other public place, or place where persons are employed.

**15.31 HAIR BRUSH FOR COMMON USE.** The use of a hair brush in common on railway trains, in dressing rooms or other apartments of railway stations, on steamboats, in hotels, boarding houses, stores, offices, schools, natatoriums (or other bathing establishments), barber shops, hair dressing parlors, or any publicly frequented place in Louisiana is hereby prohibited.

**15.311** No person, company, or corporation in charge of any of the aforesaid places shall furnish any hair brush for public use in said places, and no person, company, or corporation shall permit on said railway trains, in stations, on steamboats, in hotels, boarding houses, stores, offices, schools, natatoriums (or other bathing establishments), barber shops, hair dressing parlors, or any other publicly frequented place in the State, the use of the hair brush in common.

**15.32, DRINKING CUPS AND TOWELS FOR COMMON USE.** Drinking cups and towels for common use on railway trains and in railroad stations, public hotels, boarding houses, restaurants, on steamboats, in stores, or any publicly frequented place in Louisiana is hereby prohibited.

**15.321** No person or corporation in charge of any of the aforesaid places shall furnish any drinking cup or towel for public use in said places, and no person or corporation shall permit on said railroad trains, in railroad stations, public hotels, boarding houses, restaurants, on steamboats, or in any publicly frequently place in Louisiana, the use of the drinking cup and towel in common.

**15.33** It shall be unlawful for any person to drink from the faucet, or tap, of any cooler or drinking fountain, or any other place where water is kept for drinking purposes. The conductor of any train, or the owner or proprietor, or person in charge of any place where is situated any cooler or drinking fountain or other place where water is kept for drinking purposes, who shall allow drinking from the faucet or tap thereof, shall be deemed guilty of a violation of this Code.

## CHAPTER XVI

# MISCELLANEOUS

**16.01** The word "street", when used in the following articles, shall be held to include highways, thoroughfares, avenues, sidewalks, gutters and alleys; and the words "public place" shall be held to include parks, piers, docks and wharves, and water and open spaces thereto adjacent, and also public yards, grounds and areas, and all open spaces between buildings and streets, in view of such streets.



16.02 Sweeping of sidewalks and streets after 8 A. M. in business districts is prohibited. The sidewalk or street must be sprinkled with water, or some liquid compound to prevent unnecessary dust.

16.03 No person shall keep, throw or deposit any offal, filth, foul, offensive, corrupt or putrid matter, or any shells, hay, straw, kitchen stuff, paper, cloth, vegetable matter ashes or debris, or any substance whatever that may be offensive to smell or injurious to health, or liable to become so, in any yard, lot, space, or building, street, sidewalk, gutter, drain or canal, or shall permit the same to be done; and it shall be unlawful to impede or obstruct the flow of any gutter, canal, pipe or conduit used for drainage.

16.04 The duly constituted authorities of municipalities, parks, playgrounds and places of amusement or recreation, shall provide ample toilets that shall meet the requirements of this Code, and the necessary facilities for water for drinking and cleaning purposes, with soap, towels and toilet paper.

16.05 For the purpose of this Code, the term "nuisance" shall mean annoyance; anything which works hurt, inconvenience, or damage, or which essentially interferes with the enjoyment of life or property.

16.051 The maintenance of a nuisance is prohibited.

## CHAPTER XVII

# INDUSTRIAL HEALTH REGULATIONS

### 17.01 DEFINITIONS

17.011 The following definitions shall apply in connection with the regulations contained in this chapter of the Sanitary Code.

17.012 APPROVED shall mean approved by the Louisiana State Board of Health, unless otherwise specified.

17.013 ATMOSPHERIC CONTAMINANTS shall mean poisonous or deleterious materials, dusts, vapors, gases, fumes, or mists that are dispersed in the atmosphere in amounts in excess of the amount normally present in the atmosphere.

17.014 BLAST GATE shall mean a sliding damper so arranged that the flow of air through a pipe may be shut off.

17.015 DUCT shall mean any pipe forming a part of a ventilating system for conveying either pure or contaminated air.

17.016 EMERGENCY shall mean a temporary and harmful condition resulting from an unusual cause, as incidental to the breakdown or temporary non-function of a control measure; the breaking of a container in which any harmful material is held, or the like.

17.017 ENCLOSED shall mean that the operation, process, or method is so housed as to prevent the escape of atmosphere contaminants in harmful quantities.

17.018 **EXHAUST SYSTEM** shall mean a complete suction unit, including all hoods, ducts, fans, separators, and receptacles when required, and any other part necessary for the proper installation and operation thereof.

17.019 **FAN** shall mean the machine which creates the movement of air in an exhaust or mechanical ventilation system.

17.0110 **HARMFUL** shall mean any mechanical or toxic action which in any way injures any part of the body, or reduces in efficiency the normal function of any part of the body.

17.0111 **INTERMITTENT** shall mean for a period of time not to exceed fifteen minutes out of any sixty-minute period.

17.0112 **ISOLATED** shall mean that any operation, process, or method is so located that no employee, except one who is actually engaged therein can be exposed to the associated health hazards.

17.0113 **LOCAL EXHAUST** shall mean that type of ventilation by which suction is used to remove atmospheric contaminants at the point of generation.

17.0114 **PERSONAL PROTECTION** shall mean protective equipment attached to the person.

17.0115 **REFUSE RECEPTACLE** shall mean that part of an exhaust system into which dust, or other material separated from the air, is deposited.

17.0116 **SEPARATOR** shall mean that part of an exhaust system in which entrained material is separated from the air which conveys it.

17.0117 **GENERAL VENTILATION** shall mean the process of supplying or removing air, by natural or mechanical means, in a work space or room without special emphasis to any particular point in said space or room.

17.0118 **MECHANICAL VENTILATION** shall mean the supplying or removing of air by use of motor-operated fans, either with or without ducts.

17.0119 **NATURAL VENTILATION** shall mean the supply or removing of air as caused by openings (windows, doors, skylights, etc.) in the walls or roof of the workroom.

17.0120 **REGULAR WORKING HOURS** shall, unless otherwise limited, mean the period of most activity, when the greatest number of employees are working.

## 17.02 **ATMOSPHERIC CONTAMINANTS**

17.021 **EXCESSIVE CONCENTRATION.** Poisonous or deleterious materials in the form of atmospheric contaminants such as dusts, vapors, gases, fumes, sprays, or mists created in places of employment, emitted into or disseminated throughout areas where persons are employed, in concentrations in excess of the limits designated by the Louisiana State Board of Health, shall be reduced to the said limits

by local exhaust or other approved methods, at the point of origin or where this is impracticable, the operation, process, or method producing such atmospheric contaminants shall be either enclosed or isolated in such manner as to prevent the entrance of such contaminants into the general atmosphere of the place of employment, and persons required to work in such enclosed or isolated area shall be provided with personal protective equipment in accordance with regulations in Section 17.03.

17.022 PERMISSIBLE LIMITS. In applying the provisions of those rules, the Louisiana State Board of Health fixes as limits which shall not be exceeded the concentrations of atmospheric contaminants listed in Table I and Table II. Exposure to other materials not included in those tables shall be kept below concentrations injurious to health.

TABLE I—POISONS AND IRRITANTS

Toxic Material	PPM	Toxic Material	PPM**
Ammonia	100	Hydrogen cyanide	20
Amyl acetate	400	Hydrogen fluoride	3
Aniline	5	Hydrogen sulfide	20
Arsine	1	Lead	0.15*
Benzene (Benzol)	100	Mercury	0.1*
Butyl acetate	100	Methanol	200
Cadmium	0.1*	Monochlorobenzene	75
Carbon bisulphide	20	Nitrobenzene	5
Carbon monoxide	100	Nitrogen oxides	10
Carbon tetrachloride	100	Ozone	1
Chlorine	1	Phosgene	1
Chlorodiphenyl	1*	Phosphine	2
Chloronaphthalene	5*	Sulfur dioxide	10
Chromic acid	0.1*	Tetrachoroethane	10
Dichlorobenzene	75	Tetrachloroethylene	200
Dichloroethyl ether	15	Toluene	200
Ether	400	Trichloroethylene	200
Ethylene dichloride	100	Turpentine	200
Formaldehyde	20	Xylene, (coal tar naphtha)	200
Gasoline	1000	Zince ovide fume	15*
Hydrochloric acid	10		

\*Milligrams per cubic meter.

\*\*PPM means Parts Per Million by volume.



**TABLE II—FIBROSIS PRODUCING AND NUISANCE DUSTS**

Dusts	Particles per cubic foot of atmosphere
Asbestos	5,000 000
Silica (SiO <sub>2</sub> ) (Product of particles per cubic foot times per cent free silica, expressed as a decimal, not to exceed 5,000,000).	5,000,000 to 100,000,000
Compounds containing silicon (Si) such as talc, emery, and carborundum.	50,000,000
Nuisance dusts.	100,000,000

**17.023 ISOLATED EXPOSURES.** Persons employed in isolated areas or rooms, subjected to concentrations of atmospheric contaminants in excess of the limit herein listed, shall be equipped with personal protective equipment in accordance with regulations of Section 17.03.

**17.024 DETERMINATION.** The employer or other responsible person shall determine that toxic materials in the atmosphere are kept below the designated limits.

**17.025 APPARATUS AND METHODS.** All determinations of exposure to injurious materials shall be made by qualified personnel using instruments and methods approved by the Louisiana State Board of Health.

### **17.03 PERSONAL PROTECTIVE DEVICES**

**17.031 APPROVED TYPE.** Personal protective respiratory devices shall be of a type approved by the Louisiana State Board of Health for the particular health hazards.

**17.032 PROVIDED BY EMPLOYER.** All personal protective respiratory equipment shall be provided and maintained by the employer at no cost to the employee.

**17.033 REQUIRING RESPIRATORS.** All persons whose duties require entrance into locations in which operations or processes produce concentrations of atmospheric contaminants in excess of the limits fixed by Section 17.02 shall be provided with protective respiratory devices approved by the Louisiana State Board of Health.

**17.034 LIMITATIONS.** The use of protective respiratory devices is restricted to persons employed in or about isolated locations where atmospheric contaminants are present in concentrations in excess of the limits fixed in Section 17.02, and to intermittent or emergency service.

**17.035 EMERGENCY WORK.** Where leaks may occur in ducts, pipe lines, tanks, etc., used for transporting or containing toxic materials, approved respiratory devices shall be provided and kept in adjacent areas free from contamination. They shall at all times be accessible to the rescuers and shall be properly selected and maintained.

**17.036 USE FOR CLEANING AND REPAIRS.** Approved personal protective respiratory devices shall be provided for the use of persons exposed to atmospheric contaminants in concentrations in excess of the limits fixed in Section 17.02, while doing repair work or engaged in cleaning of equipment or work areas, and the use of protective equipment shall be obligatory.

**17.037 TRAINING.** It shall be the duty of the employer or of such person or persons responsible for the management of places of employment, to familiarize himself and teach all exposed employees the use, care, and limitations of such personal protective respiratory devices as are for the employees' use. Where the toxic material is such that an excessive amount will rapidly disable or overcome exposed workers, one or more individuals, readily available but not normally in the hazardous area, shall be trained in the use of the protective devices.

**17.038 CLEANING, STERILIZATION AND MAINTENANCE.** The employer shall provide the means for cleaning and sterilizing all respiratory protective devices, and it shall be the responsibility of the employer to cause such equipment to be maintained in clean, usable, and effective condition for the purpose intended. Goggles, respirators, helmets, masks and other protectors shall not be interchanged among employees unless they have been sterilized. Previous to sterilization they should be scrubbed with soap and hot water. The following methods for sterilization are recommended:

(1) Subjection to a moist atmosphere of antiseptic gas, such as formaldehyde, for a period of 10 minutes. Rinse thoroughly with clean water.

(2) Immersion in boiling water for a period of 5 minutes.

(3) Immersion for a period of 10 minutes in a solution of formalin made by dissolving 1 part of 40 per cent formaldehyde in 9 parts of water. Rinse thoroughly with clean water.

(4) Immersion in live steam for a period of 5 minutes.

When filter-type respirators are used, each employee shall have such respirator for his own exclusive use. An adequate number of units and parts shall be kept on hand. Respiratory equipment units and replacements shall be stored, when not in use, in suitable containers.

**17.039 SUPPLIED AIR.** A regulating valve shall be placed in the hose line of all hose masks or positive pressure air helmets. It shall be so placed as to be at all times within reach of the person wearing the mask or helmet.

**17.0310 AIR COMPRESSORS.** Wherever compressed air is used, the compressor shall deliver air which has not been in contact with any oil, grease, or other similar lubricant.

**17.0311 COMPRESSOR INTAKE.** The compressor intake shall be so located as to prevent contamination of the supplied air by harmful atmospheric contaminants.

**17.0312 AIR FILTERS.** An approved filter shall be inserted into the supply line to remove any sediment or condensate from the air.

#### **17.04 HOUSING OF MATERIALS AND OPERATIONS**

**17.041 HAZARDOUS OPERATIONS.** Hazardous operations shall be housed in buildings suitably adapted to the purpose.

**17.042 TOXIC OR EXPLOSIVE MATERIALS.** Generators, tanks, and other equipment in which toxic or explosive materials are handled shall not be housed in cellars or pits within buildings in which persons are employed. Enclosed structures housing such materials shall have, in addition to adequate ventilation for normal operation, means for generous ventilation in emergencies, such as quick opening doors and windows. Tanks containing different materials which combine violently or produce dangerous compounds shall be safely separated.

**17.043 FLAMMABLE MATERIALS.** Flammable material shall not be stored under stairways.

#### **17.05 SANITATION AND HYGIENE**

**17.051 WASTE DISPOSAL.** Plants shall install adequate equipment to dispose of factory wastes; that is, those materials rejected in the various steps of processing or manufacturing of a finished article, so as to prevent personal injuries and diseases by contact with any poisonous or deleterious materials, dusts, vapors, gases, fumes, or mists. This equipment shall always be maintained in a good state of repair. The regulations in Chapter X of this Code shall also apply.

**17.012 RECEPTACLES.** Whenever a receptacle is used for waste or refuse which is liquid or liable to decompose, it shall be so constructed that it does not leak and may be conveniently and thoroughly cleaned, and it shall be maintained in a sanitary condition.

**17.053 TIME OF REMOVAL.** All sweepings, waste, refuse, and garbage shall be removed, if possible, outside of working hours, in such a manner as to avoid creating a menace to health, and as often as necessary to maintain the place of employment in a sanitary condition.

**17.054 LUNCH ROOM.** In all places of employment where employees are permitted to lunch on the premises, an adequate space suitable for that purpose shall be provided for the maximum number



of employees who may use such space at one time. Such lunch rooms shall be maintained in a clean, sanitary condition, properly ventilated and illuminated, maintained at a comfortable temperature during meal times, and shall be kept free from vermin, insects, and rodents. The employer shall provide lunch storage space which shall be maintained in a clean, sanitary condition, and kept free from vermin, insects and rodents. The lunch room and lunch storage space shall be isolated from any poisonous or deleterious materials, dusts, vapors, gases, fumes, or mists. Garbage can shall be provided to receive scraps of food, empty sacks, soiled paper napkins, etc. Lunch facilities such as wagons, utensils, and tables shall be scrubbed with hot water and soap after use. The regulations in Chapters VII, VIII and X of this Code shall also apply to such rooms.

17.053 SIZE OF LUNCH ROOM. The following number of square feet per person, based on the maximum number of persons using the room at one time, shall be required:

Persons	Sq. ft. per person
Less than 25 .....	8
25-74 .....	7
75-149 .....	6
150-499 .....	5
500 and more .....	4

17.056 DRINKING WATER. There shall be provided in all places of employment an adequate supply of clean, cool, wholesome, and safe drinking water. It shall be readily accessible to all employees. Separate drinking fountains shall be provided for white and colored.

17.057 APPROVED SOURCE. All water furnished for drinking purposes shall be from a source approved by the health authorities having jurisdiction.

17.058 APPROVED COOLING. In all instances where water is cooled by ice, the construction of the container shall be such that the ice does not come in direct contact with the water.

17.059 COMMON CUPS. A drinking cup for common use is prohibited.

17.0510 INDIVIDUAL CUPS. When individual drinking cups (to be used but once) are supplied, there shall be provided a suitable container for the unused cups, and also a receptacle for disposing of the used cups.

17.0511 DRINKING FOUNTAINS. Where sanitary drinking fountains are provided, they shall be of the type and construction approved by the health authorities having jurisdiction.

17.0512 OPEN CONTAINERS. Open containers such as barrels, pails, or tanks for drinking water for general use, from which the water must be dipped or poured, whether fitted with a cover or not, are prohibited.

17.0513 WATER FOR OTHER USES. Where water, unfit for drinking purposes, is intended for industrial processes or fire protection,

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notices shall be posted stating clearly that such water is unsafe and not to be used for drinking; and every reasonable effort shall be made to prevent its being so used. There shall be no connection, open or potential, between a system furnishing water for drinking purposes and a system furnishing water for other uses, unless the latter is from a source approved by the Health Department and under the same degree of supervision as the drinking water supply.

17.0514 DRESSING ROOMS. Dressing rooms shall be provided for workers who are engaged in handling harmful materials or who are exposed to contact with any poisonous or deleterious materials, dusts, vapors, gases, fumes or mists. Suitable clothes hooks shall be supplied for all employees, and if contact of work clothes with street clothes might communicate to the latter the harmful substances that are accumulated on the work clothes during hours of employment, adequate provisions shall be made for the protection of the street clothes.

17.0515 DRY CLOTHES. Where the process in which the worker is engaged is such that his working clothes may become wet or have to be washed between shifts, they shall be so cared for that dry clothes are assured for the return to work.

17.0516 REST ROOM. Where ten or more women are employed at any one time, at least one retiring room for their exclusive use shall be provided. Where less than ten women are employed and a retiring room is not furnished, some equivalent space shall be provided which can be properly screened and made suitable for the use of women employees.

17.0517 SIZE OF REST ROOM The minimum space provided for a retiring room for ten women shall be sixty (60) square feet. The minimum increased space for more shall be at least two (2) square feet for each additional woman employed.

17.0518 CONSTRUCTION OF ROOM. The walls and partitions of every retiring room shall be of solid construction and at least seven (7) feet high. Glass of approved translucence may be inserted in such walls or partitions. Every retiring room shall be so constructed and maintained that privacy may be secured at all times and it shall be provided with a locker or a separate clothes hook for every female employee, unless such facilities are elsewhere provided.

17.0519 SANITATION OF ROOM. All personal service rooms shall be screened and otherwise protected so as to prevent the entrance or harboring of rats, insects, or vermin of any kind in such quarters, and they shall be maintained in a sanitary condition.

17.0520 COUCH OR BED. At least one couch or bed shall be provided in every place where 10 or more women are employed. The number of such beds or couches required shall be as follows: 10 to 100 women, 1 bed; 101 to 250 women, 2 beds; and 1 additional bed for each 250, or any part thereof.

17.0521 FACILITIES FOR COLORED EMPLOYEES. Separate dressing room facilities shall be provided for the exclusive use of colored employees.

17.0522 WASHING FACILITIES. Adequate facilities for maintaining personal cleanliness shall be provided in every place of employment. The same shall be convenient for the employees for whom they are provided, and shall be maintained in a sanitary condition.

17.0523 COMMON TOWEL. The use of towels in common is prohibited.

17.0524 INDIVIDUAL TOWELS. Individual towels of cloth or paper shall be provided, and proper receptacles maintained for disposing of used towels. Other apparatus for drying the hands may be substituted for towels only after approval by the Louisiana State Board of Health.

17.0525 NUMBER OF WASH BASINS. At least one lavatory (wash basin) with adequate water supply shall be provided for every ten employees, or part thereof, up to 100 persons; and one lavatory (wash basin) for each additional 15 persons, or part thereof. Twenty-four inches of sink with individual faucet, or any equivalent section of a circular washer, shall be considered equal to one basin. Soap in a suitable dispensing container shall be provided at each place.

17.0526 SHOWER BATH. One shower bath with ample supply of hot and cold water from one fixture shall be provided for every 15 workers, or part thereof, exposed to excessive heat, or to skin contamination with poisonous, infectious or irritating material.

17.0527 SEPARATE WASHROOMS. Separate washrooms shall be provided for each sex. Where such rooms adjoin, the separating wall shall be of solid construction. Separate washing facilities shall be provided for the exclusive use of colored employees.

17.0528 SPECIAL FACILITIES. In operations in which chemical products might accidentally injure the eyes or skin of workmen, there shall be provided a fountain-type wash bowl in the immediate zone of the operation. Such bowls are to be considered as independent of those in the regular wash room. Overhead emergency showers shall be provided in those areas where there is a possibility of strong corrosive chemicals being splashed on an employee.

17.0529 TOILET FACILITIES. Every place of employment shall be provided with adequate water closets, chemical closets, or privies, with separate facilities for male and female, and for white and colored employees. Wherever privies are permitted, they shall be constructed and maintained in accordance with the regulations in Chapter X of this Code.

17.0530 CONTAINERS. Covered receptacles for discarded sanitary napkins shall be placed in all toilet rooms used by females, and shall be maintained in a sanitary condition.

17.0531 TOILET PAPER. An adequate supply of toilet paper shall be provided for every toilet facility.

17.0532 WASHING FACILITIES. Unless the general washing facilities are on the same floor and in close proximity to the toilet rooms,



adequate washing facilities shall be provided in every toilet room or adjacent thereto.

17.0533 TOILET LOCATION. Toilet rooms shall be readily accessible to employees using them. No toilets shall be more than one floor above or below the regular place of work of the persons using them. This rule shall not apply when passenger elevators are available for employers' use in going to and from toilet rooms.

17.0534 NUMBER OF TOILETS. Toilet facilities (closets) shall be provided according to the following table. The number to be provided shall in every case be based on the maximum number of persons employed at any one time in the area for which the facilities are furnished. See Section 17.0529). When persons other than employees are permitted the use of toilet facilities (closets) on the premises, a reasonable allowance shall be made for such other persons in estimating the minimum number of toilet facilities (closets) required.

Number of Persons	Minimum Number of Facilities
1 to 9 .....	1
10 to 24 .....	2
25 to 49 .....	3
50 to 100 .....	5
Over 100—For each additional 30 persons .....	1

17.0535 URINALS. For males, urinals may be substituted for not more than one-third of the required number of facilities. Two feet of acid-resisting porcelain enamel urinal shall be considered as equivalent to one urinal.

17.0536 COMPARTMENTS. In toilets for women, each toilet facility (closet) shall occupy a separate compartment. In toilets for use of men, each toilet facility (closet) shall occupy a separate compartment, or fixtures shall be separated by simple partitions extending at least 15 inches in front of the fixture, with such arrangement that the toilets do not face one another.

17.0537 PARTITIONS. The walls of compartments or partitions between fixtures may be less than the height of the room walls, but the top shall be not less than 6 feet from the floor and the bottom not more than 1 foot from the floor.

17.0538 DOORS. The door to every toilet room shall be fitted with an effective self-closing device and the interior screened so as not to be visible from the workroom. When compartment doors are used they shall be supplied with a latch.

17.0539 FLOORS. In all toilet rooms hereinafter installed, the floors and side walls to a height of at least 6 inches shall be water-tight and impervious to moisture, including the angle formed by the floor and the side walls.

17.0540 ROOM FINISH. The floors, walls and ceilings of all toilet rooms shall be of a finish that can be easily cleaned.

17.0541 ROOM WALLS. The walls of every toilet room shall be of solid construction and shall extend to the ceiling, or the area shall

be independently ceiled over. Above the level of six feet the wall may be provided with glass that is translucent but not transparent. This rule shall not apply to places where females are not allowed to enter; in such cases the enforcing authority may specify less rigid rules when requested to do so.

17.0542 FLOOR SPACE. In new installations the minimum floor space allotted for toilet facilities (closets), lavatories (wash basins), and urinals shall be as follows:

	Minimum Width	Minimum Depth	Minimum Total Floor Space
Facilities .....	32 in.	3.6 ft.	16 sq. ft.
Lavatories .....	24 in.	3.6 ft.	12 sq. ft.
Urinals .....	24 in.	3.6 ft.	12 sq. ft.

17.0543 BOWL LOCATION. Every water closet bowl shall be set entirely free and open from all enclosing woodwork, and shall be so installed that the space around the fixtures may be easily cleaned.

17.0544 TOILET SEAT. Every water closet except those of integral seat type shall have an open-front seat made of substantial material. If absorbent material is used the seat shall be finished with varnish or other substances to make it impervious to moisture, and shall be preferably light in color.

17.0545 CHEMICAL CLOSETS AND PRIVIES. Chemical closets and privies shall be permitted only where no sewer is accessible, and privy shall be permitted where it is impossible to construct and maintain the same without danger of contaminating any source of drinking water.

17.0546 CHEMICAL CLOSETS. When chemical closets are used they shall be of a type approved by the health authorities having jurisdiction, and shall be maintained in a sanitary condition.

17.0547 SCREENS. All windows and other openings in toilet rooms shall be equipped with screens.

17.0548 HOUSEKEEPING. All places of employment, passageways, storerooms, service rooms, and all the premises thereof, shall at all times be kept in a safe and sanitary condition.

17.0549 DUST. Dust shall be removed from horizontal surfaces, rafters and other overhead parts, stairways, railings, and the like, before there is sufficient accumulation to be dispersed by the usual activities, vibrations, or wind conditions.

17.0550 SWEEPING. So far as is practicable, sweeping and cleaning shall be done outside of working hours and in such manner as to avoid the contamination of the air with dust. No dry sweeping shall be done during regular working hours.

17.0551 WET FLOORS. The floor of every workroom shall be maintained in a clean, and, so far as possible, in a dry condition. Where wet processes are used, reasonable drainage shall be maintained, and false floors, platforms, mats, or other dry standing places shall be provided.

17.0552 HAZARDS. Every floor, working place, and passageway shall be kept free from protruding nails and splinters, or holes and loose boards. Materials shall be piled so that they will not easily fall, or be displaced by vibrations or jolts.

17.0553 EXPECTORATING. Expectoring upon the walls, floors, work places, or stairs of any establishment covered by these regulations shall not be permitted.

17.0554 CUSPIDORS. Cuspidors, if used, shall be of such construction that they can be kept cleaned and disinfected, and they shall be cleaned often enough, and at least daily, to prevent them from becoming in any way a menace to health.

## 17.06 VENTILATION

17.061 GENERAL VENTILATION. Good and sufficient ventilation to ensure a healthful and, as nearly as practicable, a comfortable atmosphere shall be provided and maintained, by natural or mechanical means, in every manufacturing establishment, factory or workshop, for every workroom there and for all allied service rooms in connection therewith (such as office, stock, sorting, shipping, wash, dressing, locker, and toilet rooms), at all times during working hours.

17.062 CONTROL VENTILATION. Unless a sufficient rate of general ventilation, by natural or mechanical means, can be maintained at all times to keep atmospheric contaminants below the concentrations specified in Section 17.02, at all working places, local exhaust ventilation, or other approved preventive measures, shall be provided. General ventilation shall be so regulated that its action shall not interfere with the efficient operation of local exhaust systems.

17.063 LOCAL EXHAUST. When the amount of atmospheric contaminant exceeds the limit fixed by Section 17.02, local exhaust ventilation, or other approved means, shall be provided to reduce the amount of atmospheric contaminants to within the limits fixed.

17.064 TESTING EFFICIENCY OF EXHAUST SYSTEM. The efficiency of any exhaust system or local ventilation, shall be determined by measuring contamination in the breathing zone of the worker during normal performance of his duties.

17.065 DISSIMILAR PROCESSES. Processes generating different kinds of dusts, fumes or vapors shall not be connected to the same exhaust system when the mixture of such materials might result in the formation of toxic, corrosive, inflammable or explosive compounds.

17.066 FRESH AIR INLETS. Fresh air inlets shall be provided in all workrooms where exhaust systems are located, and shall be so located and arranged that the employees are not subject to a draft of air having a temperature of more than ten (10) degrees Fahrenheit below the general temperature of the room. Permissible maximum inlet velocities are:



120 feet per minute for horizontal inlets less than 8 feet above floor.

250 feet per minute for horizontal inlets between 8 and 12 feet above floor.

500 feet per minute for horizontal inlets between 12 and 18 feet above floor.

1000 feet per minute for horizontal inlets more than 18 feet above floor.

**17.067 FIRE WALLS.** Pipe systems shall not extend through fire walls unless absolutely necessary and in such cases precautions shall be taken to prevent spreading of fire through such pipe or opening. These precautions shall comply with local ordinances or, if no such ordinances exist, fusible link pipe shutters shall be provided on each side of the fire wall, preferably of the vertical type as described in the Code on Blower Systems of the National Fire Protection Association.

**17.068 BLAST GATES.** When blast gates are installed to control the air inlet of any hood, they shall be kept open whenever the hood is in use. Blast gates of the butterfly valve type shall not be installed.

**17.069 AIR OUTLET.** The air outlet from every exhaust system shall discharge to the outside atmosphere at such a point that the discharge therefrom will not enter any window, door or other opening of any space of employment or habitation nor create any nuisance or hazard to the public. In certain cases the Louisiana State Board of Health will approve the recirculation of air when an approved separator is used.

## **17.07 EXHAUST SYSTEMS**

**17.071 GENERAL.** All exhaust systems shall be constructed with suitable materials and shall be installed in a permanent and workmanlike manner. Every effort shall be made to have the interiors of all parts of the system smooth and free of obstructions to minimize the resistance to air flow. All part of the system shall be as free as possible from air leakage either into or out of the system except at points where air is intentionally take into or discharged from the system.

**17.072 LOCATION.** Mains, submains and discharge pipes shall be so located that they will not present an accident hazard or cause any accumulation of dust by interfering with the cleaning procedures. Pipes shall be located so as to be accessible for inspection and maintenance, and protected against external damage.

## **17.08 HOODS**

**17.081 GENERAL.** Hoods and other exhaust outlet enlargements at the source of dusts, fumes, vapors, gases, sprays, or mists shall be designed and arranged to draw said air contaminants into the exhaust duct, and to catch falling and deflected dust particles. in a manner to

prevent the draft or flow of such contamination away from the exhaust outlet. Where manual operations are performed at a source of contamination, such as a grinding, cutting, dressing, cleaning, buffing or polishing wheels or devices, or at machines, vats, tanks, furnaces, forges, salamanders and similar equipment, the hood shall be so arranged as to expose the smallest portion of the working part of the protected machine or equipment consistent with efficient operation.

**17.082 DIRECTION OF DRAFT.** Local exhaust hoods or intakes for the removal of heavy solids or liquids, or of fumes, vapors, or gases decidedly heavier than air, should be below the breathing level of the workers. In no case shall heavy materials of these types be pulled upward past the breathing level of the workers.

**17.083 MATERIAL AND CONSTRUCTION.** All hoods shall be constructed with suitable materials and shall be installed in a permanent and workmanlike manner.

### **17.09 SEPARATORS**

**17.091 AIR OUTLET.** The air outlet from every separator shall discharge to the outside atmosphere except when an approved separator is used which effectually removes all dust from the air, but in no case shall any separator used for the removal of toxic substances discharge into any workroom except on approval by the Louisiana State Board of Health. The point of discharge from any separator shall be located so that the discharge therefrom will not enter any window, door or other opening of any factory or any mercantile or other establishment or create any hazard to the public. Suitable refuse receptacles shall be provided for the refuse discharge from separators.

**17.092 COLLECTED MATERIALS.** Atmospheric contaminants collected by exhaust systems shall be disposed of in such a manner that they do not re-enter the breathing zone of the workers nor create a hazard to other workers or to the public.

**17.093 COMBUSTIBLE MATERIALS.** Combustible materials, unless immediately destroyed, shall be delivered to containers which will effectively isolate any fire or explosion hazard from all occupied areas and structures. Collectors or settling chambers for combustible materials shall not be placed within an occupied building or at any point where the ignition of the contents will be a direct life or fire hazard.

### **17.10 MAINTENANCE AND OPERATION OF EQUIPMENT**

**17.101 SAFE CONTROL MEASURES.** No preventive measure for an industrial health hazard shall of itself create an accident hazard or another health hazard.

**17.102 USE OF CONTROL MEASURES.** Every exhaust ventilation system, and other protective equipment installed under these regulations shall be maintained in effective and efficient working order, and shall be used and operated consistently.

**17.103 CLEANLINESS OF EQUIPMENT.** All power equipment, ducts, housing and other parts of an exhaust ventilation system shall be kept clean.

## 17.11 RESPONSIBILITY

17.111 DUTY OF EMPLOYER. It shall be the duty of the employer, or of any person or persons responsible for the management of places of employment, to inform the employees engaged therein of the health hazards associated with their specific duties and of the health hazards that exist in their occupational environment, and of the necessary precautions and hygiene the workers must exercise to guard against these hazards.

Employees shall be encouraged to report any suspected harmful exposure and/or any symptoms suspected of being due to working environment. Information about possible health hazards shall be requested from the Louisiana State Board of Health.

17.112 DUTY OF EMPLOYEE. It shall be the duty of the employee to use such standard protective devices as are supplied, and the precautions recommended by the employer. The employee shall report to the employer or supervisor any suspected harmful exposure and/or any symptoms suspected of being due to working environment. In case there is disagreement between employer and employee as to what constitutes adequate health protection, the question shall be submitted to the Louisiana State Board of Health and, after due investigation, the recommendations of the Board shall be considered as the minimum precautionary measures necessary to be taken. More extensive precautions may be taken, but they shall not be obligatory.

## 17.12 EVIDENCE OF COMPLIANCE

17.121 INSPECTION. Results of inspection and analysis by a person approved by the Louisiana State Board of Health, using standard or generally accepted methods, shall be prima facie evidence of compliance or non-compliance with these regulations.

## CHAPTER XVIII

# MOSQUITO CONTROL—RODENT CONTROL

18.01 Water liable to breed mosquitoes in or near cities, towns, villages or hamlets, whether incorporated or not, shall be protected, stored, covered or treated, in the manner following:

18.02 Cisterns shall be provided with wood or metal covers, and all openings, whether on top or sides, larger than 1/18 of an inch, shall be screened with wire mesh not less than 18 strands to the inch each way; and the pipes leading thereto, or therefrom, shall be screened in such a way as to prevent the entrance of mosquitoes.

18.03 Tanks and barrels shall be screened in like manner, or the water shall be covered with oil or crude petroleum.

18.04 Buckets, or other containers, holding water for use in case of fire, may contain solutions of copper, borax, or other chemical inhibitory to mosquito development.

18.05 All water containers in homes, boarding houses and public buildings must be emptied at least once a week and the containers



scrubbed and dried before refilling, unless the water is chemically treated as in Section 18.04 of this Code.

18.06 Water in fountains, basins, urns, etc., in public parks, cemeteries and residential sites, and in ponds, pools, barrow pits or other depressions or excavations in such areas liable to hold water not easily drained, must be cleared and freed from debris and vegetation, and then be stocked with mosquito larvae feeding fish, or screened or oiled. (Nothing herein contained is to be construed as justifying the failure to institute drainage when such is practicable.)

18.07 In the event of an outbreak of yellow fever, or dengue fever, parish or municipal health officers may, in addition to these regulations, have cisterns or drinking water containers covered with kerosene or light paraffin oil and other containers of water covered with coal oil or crude petroleum.

18.08 All suspicious cases of fever shall be protected from the bites of mosquitoes until, and unless, they are found not to be mosquito-borne diseases; and if found to be mosquito-borne, protection shall be continued until the infective stage is passed.

### IMPOUNDED WATERS

18.10 It shall be unlawful for any person to create or develop mosquito breeding places by the impounding of water except under proper control.

#### 18.11 DEFINITIONS

18.111 IMPOUNDED WATER. Any body of water found by the construction or excavation of a basin or the obstruction of stream flow in such a manner as to cause the collection of a body of water which would not have formed under natural conditions. Such impounded waters of less than one-half acre of water surface, used exclusively for watering livestock or for other domestic purposes, are not included in this definition.

18.112 PERSON. Any individual, firm, corporation or governmental agency owning or otherwise directly responsible for the area to be impounded; or the agent, representative or lessee of such individual, firm, corporation or governmental agency.

18.113 STATE BOARD OF HEALTH. The Louisiana State Board of Health or its authorized representative.

18.114 CONTROL MEASURES. Any measures approved by the State Board of Health which are used in the prevention or control of malaria. These measures include fluctuation of the water level, removal of flottage, removal of drift, removal of aquatic or other growths, application of larvicides, screening, or any other measures effective in the control of malaria.

18.115 FLOTAGE. Any small material, or collection of such material, on the surface of impounded water, such as leaves, chips, bark, small twigs, grasses and the like, which may provide conditions favorable for the breeding of malaria-carrying mosquitoes (Anopheles).

18.116 DRIFT. Any large material, or collection of such material, on the surface of impounded water, such as logs, brush and the like, which may collect and hold flottage or otherwise produce conditions favorable to the production of malaria-carrying mosquitoes.

18.12 Any person proposing to impound water, raise the level of existing impounded water, or reimpound water in areas where previous impoundage has been discontinued for one or more seasons, shall prior to the institution of any construction activities, make written application to the State Board of Health and receive therefrom a written permit for impoundage construction.

18.13 The application for a permit shall be made in writing in the name of the person, firm, corporation, parish or municipality making application, and shall be accompanied by a description of the proposed project, its purpose, and its exact location; also, by an accurate plat of the area to be affected, showing particularly the maximum and minimum water levels, and other pertinent information required by the State Board of Health.

18.14 This application shall state the name of the person responsible for the construction and maintenance of the project.

18.15 A temporary permit for the inauguration of the initial construction shall be issued by the State Board of Health on assurance of compliance with the following rules and regulations; provided, that one or more of the provisions of these regulations may be waived in whole or in part when, in the opinion of the State Board of Health, there are factors or circumstances which render compliance with such provisions unnecessary.

18.16 In the area to be occupied by the reservoir, its branches, bights and indentations, all brush, undergrowth, logs, stumps and similar objects which, if not removed, would float or collect flottage on the surface of the impounded water, and all of the above material which is lying on the ground or remaining in original or new position, which would probably cause flottage in gorges, and thus constitute conditions favorable to the protection of larvae or mosquitoes capable of conveying malaria, shall be removed, burned, or otherwise satisfactorily disposed of prior to the impounding of the water.

(Note: The above does not include grass, vegetation, brush, trees, stumps, etc., which will be permanently and completely submerged at the time of low water and which are, therefore, not of sanitary importance.)

18.17 In the area to be occupied by the reservoir, its branches, bights and indentations, all brush and undergrowth which would pierce the surface at low water level shall be cut off at least one foot (1') below such water level, to prevent the collection and anchorage of any possible flottage, rafts, etc.

18.18 The shore line of the reservoir, its branches, bights and indentations shall be cleared of all brush and undergrowth, and the like, so as to prevent the collection of drift and flottage along the shore. This clearing shall extend from minimum low water level to a

line not less than fifteen (15') feet, horizontally, beyond high water level, unless a vertical distance above high water of five (5') feet occurs in a lesser horizontal distance, but in no case shall the horizontal distance be less than five (5') feet.

18.19 Sound live trees of species which will survive when their roots are permanently submerged may be left standing in areas to be flooded; and sound live trees may be left standing on the banks where they are not likely to fall into the water. All other trees shall be removed in accordance with the provisions of Sections 18.17 and 18.18 of this Code.

18.20 Small ponds, or other waters, suitable for the propagation of Gambusia (top minnows) in sufficient numbers to stock the reservoir, its branches, bights and indentations for effective mosquito control, shall be provided at the time of initial construction on the project; and they shall be stocked with these fish in accordance with definite written instructions from the State Board of Health.

18.21 All depressions which will be filled with water from the reservoir, its branches, bights and indentations at the time of maximum water level, in which water might be retained at lower stages of the water level, in the reservoir, thus forming separate pools, shall be connected with the normal body of the reservoir, or any of its branches bights or indentations, with a ditch or culvert which will permit complete drainage and the entrance of top feeding minnows.

Note: Such places are generally few in number, but are of importance in mosquito production.

18.22 Insofar as practicable, the bottom of the reservoir shall be fixed so as to reduce to a minimum shallow submerged areas on which aquatic plants will grow and reach the surface of the water.

18.23 In the designing and construction of the impoundage project, flashboards or other means shall be provided for controlled fluctuation of the water level at any season of the year in the manner and amount as specified by the State Board of Health.

In the designing and construction of the impoundage project, bottom drains or other means shall be provided which will permit removal of the impounded water.

18.24 A preliminary permit for the impounding of water having been granted by the State Board of Health, and construction work on the project begun, a representative of the State Board of Health shall make inspections of the project from time to time, and as requested by the permit-holder, and the State Board of Health shall approve, in writing, that portion of the work which has been satisfactorily completed, as outlined in Sections 18.17 and 18.18 of this Code.

18.25 If the representative of the State Board of Health determines that the provisions of Sections 18.17 and 18.18 of this Code have been complied with to a point where impoundage may be started, the State Board of Health shall issue a written approval for the impounding of water to such level as may be specified by the representative of the State Board of Health; and when it shall appear that these



regulations have been complied with to the satisfaction of the State Board of Health, the State Board of Health shall so certify in writing, and the permit-holder may thereupon proceed with the impounding of water to the maximum high water level; provided, that any filling or impounding shall not occur during the malaria-carrying-mosquito breeding season, namely, May to October, inclusive, unless otherwise authorized in writing by the State Board of Health.

18.26 The State Board of Health shall thereupon issue a final permit for the maintenance of an impounding project by said applicant, the validity of said permit being contingent upon the observance of the following regulations:

18.27 During the mosquito breeding season the permit-holder shall regularly and frequently remove all flottage and floating debris in the reservoir, its branches, bights and indentations, which are producing mosquitoes within one (1) mile of human habitation.

18.28 A clear shore line shall be maintained during the mosquito breeding season by holding the water level two (2') feet or more above normal during the winter months, and by frequent variations at other times; or where these measures are inadequate, by the removal of all trees, brush, undergrowths, logs, stumps and flottage from such portions of the short line as may be designated by the State Health Officer, for a distance of not more than fifteen (15') feet back from normal high water level, and/or the poisoning of stumps, and application of herbicides.

18.29 Prompt and proper measures shall be taken to prevent the growth of cat-tails, bulrushes, and other aquatic, or semi-aquatic, vegetation which offers protection to mosquito larvae from their fish enemies.

18.30 Where these various methods of larvae control are ineffective or insufficient, larvicide shall be carried on as may be directed by the State Board of Health.

18.31 Newly created impounded waters shall not be stocked with game fish (trout, bass or pike) without written permission from the State Board of Health and the State Department of Conservation.

18.32 After the water has been impounded, the State Board of Health shall, from time to time, make such inspections of the impounded waters and adjacent areas as are deemed essential; and any conditions found on the impounded water project which are, or may be, detrimental to the public health, or are likely to cause an increase of malaria, shall be modified by the permit-holder so as to be satisfactory to the State Board of Health.

18.33 The person, or persons, responsible for the maintenance of impounded water shall furnish to the State Board of Health such reports of operation, maintenance, or condition of the impounded water as may be specified by said Board.

18.34 These regulations shall govern any change in water level; and, as soon as any proposed changes affecting the maximum water

elevation are contemplated, the State Board of Health shall be notified in writing.

18.35 The person responsible for construction shall carry out such measures as may be prescribed by the State Board of Health for preventing the introduction of malaria through infected employees coming from the reservoir area or its environs.

## **RODENT CONTROL**

### **18.50 DEFINITIONS**

18.501 **RODENTS.** For the purposes of these regulations rodents are considered to include gnawing animals such as rats, mice, ground squirrels, etc., which harbor fleas or other insects that may become infected with and transmit certain diseases to man, such as bubonic plague, typhus fever, rat fever, Rocky Mountain fever, etc.

18.502 **VENT STOPPAGE.** The closing or sealing of openings into buildings, other than open doors or windows, in order to prevent rodents from entering or leaving them.

18.503 **RAT PROOFING.** The rendering of buildings proof against the entrance of rats.

18.504 **IMPERVIOUS MATERIAL.** This term shall include glass, wood, non-corrosive steel or iron, non-corrosive metal screen, dense concrete or other material which may be approved by the State Board of Health.

18.505 **DENSE CONCRETE.** Whenever concrete is mentioned in the regulations, it shall be taken to mean dense concrete composed of not less than one (1) part by volume of Portland cement to six (6) parts of aggregate consisting of sand and gravel, crushed rock or slag, properly proportioned.

### **18.51 REGULATIONS**

18.511 It shall be unlawful for any person to keep, store or expose for sale any food or food products or anything which rats might eat, or to occupy any buildings, storeroom, grain elevators or warehouses, without complying with the regulations herein provided for protection against, and the elimination of, rodents.

18.512 It shall be unlawful for any person to own, keep or use for a storage room, warehouse, grain elevator, or other building where food or food products or other things which rodents might eat are kept, or where any animal or fowl is kept, without using impervious material in construction to prevent effectively rodents, and especially rats, from gaining entrance to the structure or being harbored beneath the floors or within the walls.

18.513 **ACCUMULATION OR STORAGE OF FOODSTUFFS.** All premises where food stuffs are stored or handled shall be kept clean and free from all rubbish and loose material which might serve as a harborage for rats; and all food stuffs in sacks or bags, such as flour, grain, sugar, etc., shall be placed on platforms elevated not less than 12 inches above the floor, and properly ratproofed.

**18.514 PACKING HOUSES.** It shall be unlawful for any person to own and use any building as a packing house or cold storage plant where articles are kept which rats might eat, unless such packing house or building shall be so protected by impervious materials as to prevent rats from gaining access thereto. All vents, windows, doors, holes or openings thereto shall be so covered and protected by impervious materials that rodents, and especially rats, may not gain access thereto. The doors shall be equipped with self-closing devices, which shall be maintained at all times in operating condition.

**18.515 SANITARY MAINTENANCE OF BUILDINGS.** All buildings, places and premises shall be kept and maintained by the owner or occupant thereof in a clean and sanitary condition, and free and clear of rats.

**18.516 ACCUMULATION OF WASTE MATTER ATTRACTIVE TO RATS.** No rubbish, garbage or waste shall be dumped, left or permitted to accumulate or remain in any building, place or premises in such a manner that the same shall, or may, afford food or a harborage or breeding place for rats.

**18.517 TRAPPING AND POISONING.** The health officer may require any building used for storing food, food products or other goods, wares and merchandise, or in which are stored any such food or food products, goods wares or merchandise or other material which rats might eat, to be provided with approved rat traps or rat poison.

**18.518 GARBAGE STORAGE, COLLECTION AND DISPOSAL.** Garbage storage, collection and disposal shall conform to the requirements of Chapter X of this Code.

#### **18.52 PLAGUE - TYPHUS**

(a) Whenever plague in rodents or man occurs in any community in Louisiana, the following regulations 18.53 to 18.566 for the control of rodents shall be enforced in the affected community; or

(b) Whenever the State Health Officer, or a local board of health, shall declare that rodent-borne diseases are prevalent in a community, the following regulations 18.53 to 18.566 shall be enforced:

**18.53 NEW BUILDINGS TO BE MADE RATPROOF.** It shall be unlawful for any person to construct any building or structure, or to repair or remodel any building or structure to the extent of fifty (50%) per cent of the value of the structure, unless the same shall be made ratproof by the use of impervious material, as herein provided. Provided, that only such repairs or remodeling as affects the ratproof condition of the building or structure shall be considered subject to the provisions of this regulation.

**18.531** When rodent-borne diseases have been declared to be prevalent in a community, as provided for in paragraph 18.52 no new construction of any building, nor repairs to existing structures to the extent of fifty per cent (50%) of the value of the structure, shall be undertaken without a permit from the local health officer, or Director of the Parish Health Unit.

**18.54 EXCLUSION OF RATS FROM DOCKS.** Any vessels docking or landing at any port or place in the State of Louisiana where bubonic



plague exists, and any vessel coming from a plague infested locality shall, while lying at a dock or landing in the State of Louisiana, be fended off at least four (4) feet at all times while at such docks or landing, and shall have placed on every line of any description, leading from such vessel to the dock or shore, whether directly or indirectly, a rat shield or guard so constructed and attached that it will effectively prevent rats from passing along such line either from the vessel to the shore or vice versa.

18.541 No gang planks, ladders, skids or other devices or structures whereby rats and rodents may find egress from the vessel to a dock or landing, shall be allowed to extend from any vessel to such dock or landing except at times when such gang planks, etc., are actually in use, the same to be removed when not actually in use, and in all instances to be removed at night, unless vessel is actually in process of discharging or loading cargo or passengers during the night hours.

18.542 REQUIREMENTS FOR WATER CRAFT. All docks and wharves shall be equipped with fender logs, not less than twenty-four (24) inches in diameter at the smallest part, or other approved means of maintaining a clear distance of at least twenty-four (24) inches between the side of any vessel and the wharf.

18.543 RAT SHIELDS. Each spar and each chain, hawser, rope or line of any kind extending from any vessel, steamboat or other water craft to said dock or wharf, shall be equipped with and have properly and securely attached thereto a rat shield or guard of such design and in such manner as shall be approved by the State Health Officer or his representative.

#### **18.55 EXISTING BUSINESS BUILDINGS. MASONRY OR CONCRETE EXTERIOR WALL CONSTRUCTION**

18.551 FOUNDATION WALL VENTILATION OPENINGS. All foundation wall ventilator openings shall be covered for their entire height and width with perforated sheet metal plates of a thickness of not less than fourteen (14) gauge, or with expanded sheet metal of a thickness not less than eighteen (18) gauge, or with wire cloth of nineteen (19) gauge or heavier, or with cast iron grills or gratings. The openings therein shall not exceed one-half ( $\frac{1}{2}$ ) inch in shortest dimension.

18.552 MISCELLANEOUS FOUNDATION AND EXTERIOR WALL OPENINGS. All foundation and exterior wall openings, excepting those used as doors or windows or for purposes of ventilation and light, such as those openings around pipes, electric cables, conduits, openings due to deteriorated walls, broken masonry or concrete, shall be protected against the ingress of rats by closing such openings with cement mortar, concrete or masonry.

18.553 DOORS. All exposed edges of the lower ten (10) inches of wooden doors, door sills and jambs serving as rear or side entrances into business buildings from the ground, basement or cellar floors, and other doors accessible to rats, shall be protected against the gnawing of rats by covering said doors, door sills and jambs with solid sheet metal of not less than twenty-four (24) gauge thickness.

Doors, door jams and sills of coal chutes and hatchways which are constructed of wood shall be covered with solid sheet metal of twenty-four (24) gauge or heavier.

All doors on which metal flashing has been applied shall be properly hinged to provide free swinging. When closed, doors shall fit snugly so that the maximum clearance between any door, door jams and sills shall not be greater than three-eighths ( $\frac{3}{8}$ ) inch.

Door jams and sills constructed of metal, concrete, masonry, stone or cement mortar shall be acceptable without metal protection as specified above.

18.554 WINDOWS. All windows and other openings for the purpose of light or ventilation located in the side or rear of exterior walls and within two (2) feet above the existing ground level immediately below such openings shall be covered for their entire height and width, including frame, with wire cloth of nineteen (19) gauge or heavier, having a mesh not larger than one-half ( $\frac{1}{2}$ ) inch.

All windows and other openings for the purpose of light and ventilation in the exterior walls not covered in the above paragraph, which are accessible to rats by way of exposed pipes, wires, conduits and other appurtenances, shall be covered with wire cloth of nineteen (19) gauge, or heavier, having a mesh not larger than one-half ( $\frac{1}{2}$ ) inch; or, in lieu of wire cloth covering, said pipes, wires, conduits or other appurtenances shall be blocked from rat usage by installing solid sheet metal guards of twenty-four (24) gauge, or heavier. Said guards shall be fitted snugly around pipes, wires, conduits or other appurtenances. In addition, they shall be fastened securely to and shall extend perpendicularly from the exterior wall for a minimum distance of twelve (12) inches beyond and on either side of said pipe, wire, conduit or appurtenances.

18.555 LIGHT WELLS IN SIDEWALKS. Light wells with windows in exterior walls, which are located below the outside ground level, shall be protected from the ingress of rats by one of the following methods:

Installing over light wells cast iron or steel grills or gratings, with openings in grills or gratings not to exceed one-half ( $\frac{1}{2}$ ) inch in shortest dimension.

Installing, securely attached to and completely covering existing metal grills which are broken, or which have openings larger than one-half ( $\frac{1}{2}$ ) inch in shortest dimension, or which are otherwise defective, expanded metal of eighteen (18) gauge, or heavier, having openings not greater than one-half ( $\frac{1}{2}$ ) inch in shortest dimension, or with sixteen (16) gauge, or heavier, wire cloth of one-half ( $\frac{1}{2}$ ) inch.

18.556 PROTECTING WINDOWS WITH WIRE CLOTH IN ACCORDANCE WITH PARAGRAPH 18.554.

**18.557 CURTAIN WALLS AND FLOORS.** Business buildings constructed on piers and having wooden floor sills less than twelve (12) inches above the surface of the ground shall have the intervening space between floor sill and ground protected against the ingress of rats by installing a solid masonry, concrete or solid sheet metal curtain wall of twenty-four (24) gauge, or heavier, around the entire perimeter of the business buildings, and extending said curtain wall to a depth of not less than twenty-four (24) inches below the surface of the ground level, and fastening securely to the exterior wall of the business building.

In lieu of the installation of curtain walls, all ground floors of wood construction may be replaced with concrete of not less than three (3) inches in thickness, with the exterior walls protected from a height of twenty-four (24) inches above the concrete floor with masonry, concrete or solid sheet metal of twenty-four (24) gauge, or heavier. Exterior wall protection shall be securely tied into the concrete floor at all points.

Business buildings constructed on piers, and having wooden floor sills greater than twelve (12) inches above the ground level, shall have the intervening spaces between floor sill and ground protected against the ingress of rats by installing curtain walls in accordance with the paragraph above, or protecting said business buildings against the ingress of rats by installing solid sheet metal collars of twenty-four (24) gauge, or heavier, snugly around each pipe, cable, wire, conduit or other utility service passing through wooden ground flooring. The diameter of said metal collars shall be not less than eight (8) inches larger than the diameter of the pipe, cable, wire, conduit or other utility service, and said collars shall be securely fastened to the wooden floor. All other openings in wooden ground floors through which rats may gain entrance into double walls or the interior of business buildings, such as openings which may exist in floors at double walls above floor sills, shall be closed with twenty-four (24) gauge, or heavier, solid sheet metal, or sixteen (16) gauge, or heavier, wire cloth of one-half ( $\frac{1}{2}$ ) inch mesh, or with concrete masonry.

**18.558 FOUNDATION WALL VENTILATION.** Wood frame business buildings having concrete or masonry foundation walls shall have ventilators in foundation walls protected in accordance with Article 18.551.

**18.559 MISCELLANEOUS WALL OPENINGS, DOORS AND WINDOWS.** Protection of these openings shall be in accordance with Articles 18.552, 18.553 and 18.554.

## **18.56 PROPOSED NEW BUSINESS BUILDINGS**

**18.561 FOOTING AND FOUNDATION WALLS.** Footing and foundation walls shall be of concrete or masonry, and shall extend around the entire perimeter of the business building and to a depth of not less than twenty-four (24) inches below the surface of the finished ground level.



**18.562 FLOORS, BASEMENT AND CELLAR.** Basement and cellar floors shall be constructed of concrete having a thickness of not less than three (3) inches, and shall be continuous over the entire floor area and surrounding ground surface. Said concrete shall be tightly sealed to the exterior footing and foundation walls.

**18.563 VENTILATORS, WINDOWS, DOORS AND MISCELLANEOUS OPENINGS.** These openings, shall be treated in the same manner as for existing business buildings, and especially in accordance with Articles 18.551 through 18.555.

**18.564 RAISED WOODEN PLATFORMS.** Raised wooden platforms or false floors will not be permitted unless rat-proofed, by raising at least one (1) foot above the main floor and providing free access beneath the platform or false floor, which shall be tight.

**18.565 EXISTING OR NEW RESIDENCES, SHEDS AND GARAGES.** Existing or new residences, sheds and garages having masonry or concrete exterior wall construction shall conform to the requirements of Articles 18.551, 18.552, 18.553 and 18.555.

**18.566 EXISTING OR NEW RESIDENCES, SHEDS AND GARAGES.** Existing or new residences, sheds and garages having wood frame exterior wall construction shall conform to the requirements of Articles 18.557, 18.558, 18.559, 18.562 and 18.563.

**18.57 CURB OR FARMERS' MARKETS.** Curb or farmers' markets, in which fruits or vegetables are exposed and offered for sale on racks, stands, platforms, and in vehicles outside of business buildings, shall have the floors of said market paved with concrete or asphalt for the entire surface area of the market.

**18.571** The floor shall be protected by a curtain wall of concrete, masonry or asphalt of not less than three (3) inches in thickness, tightly sealed to the surface pavement, and extending not less than eighteen (18) inches below the ground surface on the street side. Curtain walls shall extend around the entire perimeter of the floor pavement. Display racks, stands or platforms on which fruits or vegetables are stored, or offered for sale, shall be of sufficient height that all such fruit or vegetables shall be kept at a distance of not less than eighteen (18) inches above the floor pavement, and so constructed that rats cannot harbor therein and thereunder. All existing or proposed new business buildings which may be a part of curb or farmers' markets shall conform to the provisions of these regulations.

**18.58 ACCUMULATION OR STORAGE OF LUMBER, ETC.** All premises, improved and unimproved, shall be kept clean and free from all rubbish and loose material which might serve as a harborage for rats, and all lumber, boxes, barrels, loose iron and similar material which may be permitted to remain thereon, and which may be used as a harborage for rats, shall be placed on supports and elevated not less than two (2) feet from the ground, with a clear intervening space beneath to prevent the harboring of rats.

## CHAPTER XIX

# SLAUGHTER HOUSES, MEAT PACKING PLANTS AND SAUSAGE KITCHENS

19.01 No slaughter house, meat packing plant, sausage kitchen, or other establishment operated to slaughter, manufacture, pack or otherwise prepare meat or meat food products for human consumption shall operate without having obtained a permit from the State Board of Health; provided, that these regulations shall not pertain to retail meat markets operating only for the retail sale of meat where manufacturing operations are restricted to the grinding of hamburger, sausage, or other ground fresh meat products.

Permits shall be numbered serially and must be renewed annually. The serial number of the permit shall be used to identify all meat and meat products prepared in the establishment for which the permit is granted.

19.011 Two or more establishments under the same ownership or control may be granted the same permit number, provided a serial letter is added to identify each establishment and the products thereof.

19.012 Permits shall not be granted for operations in any building, any part of which is used as living quarters, unless floors, walls and ceilings are without openings that directly or indirectly communicate with any part of the building used as living quarters.

19.013 Permits shall not be granted unless or until the building and premises are in a sanitary condition.

19.014 The permit of any establishment may be revoked for failure to comply with any of the provisions of these regulations.

19.015 Any authorized representative of the State Board of Health shall have access, at all times, during reasonable working hours, to every part of any establishment subject to these regulations, for the purpose of making inspections.

19.02 Every slaughter house or place of business where the slaughtering of cattle, sheep, swine, poultry or other animals is carried on, or the same are prepared for market, and the premises on or in which such operations are carried on, and the implements, utensils and appliances used therein, shall be maintained in sanitary condition, in compliance with the requirements of these regulations.

19.021 There shall be abundant light, both natural and artificial, and sufficient ventilation for all rooms and compartments, to ensure their sanitary condition.

19.022 There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with approved traps and vents.

19.023 The water supply shall be ample, clean, and potable, with adequate facilities for its distribution in the plant. Every establish-

ment shall make known, and whenever required shall afford opportunity for inspection of, the source of its water supply and the location and character of its reservoir and storage tanks.

19.024 The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures, shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be constructed of impervious material, preferably of concrete. The rooms and compartments used for edible products shall be kept separate and distinct from those used for inedible products.

19.025 The rooms and compartments in which any meat or meat product is prepared, or handled, shall be free from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tanks and fertilizer rooms, and stables.

19.026 Buildings shall be screened, and every practicable precaution shall be taken to keep establishments free of flies, rats, mice and other vermin. The use of poisons for any purpose in rooms, or compartments, where any unpacked meat or meat product is stored, or handled, is forbidden, except under such restrictions and precautions as the health officer may prescribe. The use of bait poisons in hide cellars, inedible compartments, outbuildings, or similar places, or in storerooms containing canned or tierced products is not forbidden, but so-called rat viruses shall not be used in any part of an establishment or the premises thereof.

19.027 Plans for new plants must be submitted to the State Board of Health for approval.

19.03 Adequate sanitary facilities and accommodations shall be furnished by every establishment engaged in the slaughter, preparation or packing of meat or meat products for human consumption. Of these the following are specifically required:

19.031 Dressing rooms, toilet rooms, and urinals, sufficient in number, ample in size, conveniently located, provided with windows to admit direct, natural light, properly ventilated, and meeting all requirements as to sanitary construction and equipment, shall be provided. These shall be separate from the rooms and compartments in which meat and meat products are prepared, stored or handled. Where both sexes and both colors are employed, separate facilities shall be provided.

19.032 Lavatory accommodations, including an adequate supply of hot and cold water, liquid or powdered soap in dispensers, and paper or individual towels, shall be provided. These shall be placed in or near toilet and urinal rooms, and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling any meat or meat products. Towels or drinking cups for common use are prohibited.

19.033 Properly located facilities for disinfecting and cleaning utensils and the hands of all persons handling any meat or meat product, shall be provided.



19.034 Cuspidors of such shape as not readily to be upset and of such material as to be readily cleaned and disinfected shall be provided. They shall be sufficient in number and accessibly placed in all rooms, and all persons who expectorate shall be required to use them.

19.04 Equipment and utensils used for preparing, processing, and otherwise handling any meat or meat product shall be of such material and construction as will make them susceptible of being readily and thoroughly cleaned, and such as will ensure strict cleanliness in the preparation and handling of all meat products. Trucks and receptacles used for inedible products shall bear some conspicuous and distinctive mark and shall not be used for handling edible products.

19.05 Rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling any meat or meat product, and all other parts of the establishment shall be kept clean and sanitary.

19.06 Operations and procedures involving the preparation, storing or handling of any meat or meat product shall be strictly in accord with cleanly and sanitary methods.

19.061 Rooms and compartments in which animals are slaughtered or any meat or meat product processed or prepared, shall be kept sufficiently free of steam and vapors to allow for inspections and to ensure cleanly operations. The walls and ceilings of rooms and compartments under refrigeration shall be kept reasonably free from moisture.

19.062 Butchers and others who dress or handle diseased carcasses or parts shall, before handling or dressing other carcasses or parts, cleanse their hands of grease, immerse them in a prescribed disinfectant, and rinse them in clean water. Implements used in dressing diseased carcasses shall be thoroughly cleansed in boiling water or a prescribed disinfectant, followed by rinsing in clean water. The employees of the establishment who handle any meat or meat products shall keep their hands clean, and in all cases after visiting the toilet rooms or urinals shall wash their hands before handling any meat or meat products or implements used in the preparation of same.

19.063 Aprons, frocks and other outer clothing worn by persons who handle any meat or meat product shall be of material that is readily cleaned, and only clean garments shall be worn. Knife scabbards shall be kept clean.

19.064 Such practices as spitting on whetstones, placing skewers or knives in the mouth, inflating lungs or casings, or testing with air from the mouth such receptacles as tierces, kegs, casks and the like, containing, or intended as containers of, any meat or meat product are prohibited. Only mechanical means may be used for testing. Care shall be taken to prevent the contamination of meats and meat products with perspiration.

19.07 The wagons and cars in which any meat or meat product is transported shall be kept in a clean and sanitary condition. Wagons,

carts, trucks or other conveyances used in transferring loose meat and meat products from the slaughter house to other places for storage or final distribution shall be closed or so covered that the contents shall be kept clean.

19.08 Tubs, barrels and boxes intended for use as containers of any meat or meat product shall be thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels. Any such container showing evidence of misuse, rendering it unfit to serve as a container for food shall be condemned and destroyed.

19.09 When necessary a representative of the State Board of Health shall attach a tag to any equipment or utensils which is insanitary, or the use of which would be in violation of these regulations. No equipment or utensil so tagged shall again be used until made sanitary. Such tag so placed shall not be removed by anyone other than a representative of the State Board of Health.

19.10 All operating and storage rooms and departments used for inedible products shall be maintained in an acceptably clean condition. The outer premises of every establishment, embracing docks and areas where cars, trucks or wagons are loaded, and the driveways, approaches, yards, pens and alleys, shall be properly drained and kept in a clean and orderly condition. All catch basins on the premises shall be of such construction and location and shall be given such attention as will ensure their being kept in acceptable condition as regards odors and cleanliness. The accumulation on the premises of any material in which flies may breed, such as hog hair, bones, paunch contents, or manure is forbidden. No nuisance shall be allowed in any establishment or on its premises.

19.11 No establishment shall employ, in any department where any meat or meat product is handled or prepared, any person affected with tuberculosis or other communicable disease.

19.111 Dogs or cats shall not be admitted into any establishment where meats are handled in any way to be prepared for human consumption.

19.112 Equines owned or used on the premises shall be free of disease communicable to man.

19.12 No hogs shall be kept in connection with or within five hundred feet of any establishment covered by these regulations.

19.121 All offal or flesh fed to hogs must be sterilized by cooking before feeding.

## CHAPTER XX

# ANIMALS AND ANIMAL DISEASES RENDERING OF ANIMALS

## 20.01 DEFINITIONS

20.011 The term "animal" shall be held to include all animals, any part of the body which is used as food for human consumption and, in so far as these regulations relate to sanitation of premises or to spread of any communicable disease dangerous to man, shall also include dogs, donkeys and other similar livestock.

20.012 The term "fowl" shall include all poultry, ducks, geese, turkeys or game birds used as food for human consumption, and parrots or other birds known to be capable of spreading any disease dangerous to man.

20.013 The term "rendering plant" shall mean any establishment equipped to cook and make innocuous any animal or fowl dead from any cause, or any offal from a slaughter house, abattoir, or butcher shop.

20.02 No person shall keep any animal or fowl in any municipality without obtaining a permit from the municipal or parish health officer, or director of the parish health unit in parishes having a health unit.

20.03 No permit shall be granted for keeping animals or fowls within any municipality unless the premises where said animals or fowls are to be kept are so constructed and maintained as not to constitute a nuisance or a menace to the public health.

20.04 Any premises to be used as a corral, stable, poultry yard, hog pen, aviary, or for the holding of any animals or fowls, shall be open to inspection by a representative of the state, parish or municipal board of health at any reasonable time.

20.05 Any person in charge of any animals shall promptly report to the parish or municipal health officer, or director of the parish health unit, any animals sick with anthrax or charbon, glanders, rabies, or tuberculosis, or any other disease dangerous to man, or any case which may be suspected as showing any symptoms of said diseases.

20.06 Any person in charge of any parrot, or other fowl, shall promptly report to the parish or municipal board of health or parish health unit any parrot, or other fowl, sick with psittacosis (parrot fever) or any other disease dangerous to man, or any case which may be suspected as showing any symptoms of said diseases.

20.07 No animal or fowl affected with any communicable disease dangerous to man shall be brought into this State.

20.08 Any animal within the State found with any disease communicable to man shall be disposed of in accordance with the regulations of this Code.

20.09 The body of any animal or fowl dead of any disease, killed on account of a diseased condition, or killed by accident, shall be buried, incinerated, rendered into tankage, or otherwise disposed of in such a manner as not to constitute a nuisance or hazard to the public health. No animal shall be buried within 500 feet of any residence.

20.10 Failure to report to the municipal or parish board of health or parish health unit, any animal or fowl ill with, or suspected



of being ill with, any disease communicable to man shall be considered a violation of this Code.

20.11 An investigation shall be made by the health authorities of all reported or suspected cases of disease communicable to man in animals or fowls, and all possible precautions shall be taken to prevent the spread of any such disease among other animals or fowls, or its communication to man.

20.12 When any case of disease is found in animals or fowls which is suspected as being communicable to man, the municipal or parish health officer, or the director of the parish health unit in parishes having a health unit, shall call on such physicians, veterinarians, or other qualified personnel necessary to aid in the inspection, diagnosis, isolation, destruction or disposition of such animals or fowls as will best protect the public health.

20.13 No person shall operate a rendering plant without first obtaining a permit to operate from the municipal or parish board of health, or the parish health unit.

20.131 In applying for a permit, the applicant shall submit detailed plans for the rendering plant, showing its location, construction, equipment, water supply, sewage and refuse disposal.

20.132 On receipt of an application the municipal or parish health officer, or director of the parish health unit, shall make a thorough investigation of the location and other requirements and, if satisfactory, shall issue to the applicant a permit to operate a rendering plant conditioned on said plant being operated in such a manner as not to create a nuisance or any condition which might injuriously affect the health of the community.

20.133 The permit shall be issued to the person responsible for the operation of the rendering plant and shall not be transferable.

20.134 Any permit to operate a rendering plant shall be subject to revocation if the plant is operated at any time in violation of the provisions of this Code.

20.14 The hauling of any dead animal, or of offal, for disposal in a rendering plant shall be in a wagon, cart or truck with water-tight floor and sides capable of being washed and scrubbed to eliminate any offensive material, and said conveyance shall be washed at the end of each day's use, or oftener if necessary to prevent a nuisance being created.

20.141 Any conveyance used for hauling dead animals, or offal, shall be provided with a tarpaulin or other tight covering to shut off from view all such dead animals or offal, and said conveyance shall not stop by the way, unless detained by an unavoidable accident.

20.15 None of the products of any rendering plant shall be utilized in any food products for human consumption.

20.16 All grease and other products of a rendering plant not utilized in fertilizers but packed for use in, or transportation to, some

other locality, shall be branded, marked, tagged or otherwise identified on every package with a conspicuous label, printed in red ink, as follows: "Inedible-----of Dead Animals", with the name of the product to appear in the space left blank.

20.17 No person shall leave in or throw into any place or street, or public water or leave exposed or partially buried, the whole, or any part, of any dead, sick or injured animal; nor shall any person keep any dead, sick or injured animal, or any part thereof, in a place where the same might be dangerous to life or detrimental to the health of any person, or might become a nuisance.

20.18 No person shall bring, or cause to be brought, into the limits of any municipality any hides, bones, peltry, rags or any other articles that might serve as an attraction to or a breeding place for flies or other vectors of infection, or which may in any way endanger the public health or create a public nuisance.

20.19 No hide, bones, or other offensive material, shall be kept in any room refrigerator, or cold storage area of any meat market, slaughter house or other establishment where meat is hung or stored.

20.20 No animal intended for use as food for human consumption shall be kept in any place without water, ventilation, or food in sufficient quantities for the preservation of health or wholesomeness for food.

20.21 No animal shall be transported in any vehicle or held for transportation while bound, or tied by the legs, or bound down by the neck, but shall be allowed to stand freely.

20.22 No live poultry or fowls shall be kept, offered for sale, or killed by any person in any yard, coop, building, public or private market or premises thereof, or on any sidewalk or public thoroughfare or other place within the built-up portions of any community, unless a special permit has been received from the municipal or parish board of health.

20.23 Any permit to operate as a live poultry dealer may be revoked, if at any time the premises are allowed to become insanitary or are maintained so as to create a nuisance.

## **CHAPTER XXI**

# **MARKETS**

21.01 The term "market" as used in these regulations shall mean any store or food market dealing in, or selling, any food products, meats, milk, fish, vegetables, eggs, or other produce.

21.02 All markets shall meet the following minimum requirements:

21.021 The space occupied by the market shall afford complete protection from rain, with a whole and sound floor of tight impervious construction, easily cleaned and impenetrable by rats or other vermin; except that a roof shall not be required for such places as are commonly called "curb markets," which deal only in vegetables which would not be injured by rain.

21.022 Lighting, either natural or artificial, shall be sufficient and adequate to prevent deep shadows in any part of sales or storage rooms.

21.023 Walls and ceilings shall be of smooth construction, painted a light color, and kept clean.

21.024 An ample supply of water shall be provided for all necessary use in or about the market. Some provision shall be made for heating water to be used in scrubbing floors, or for other cleaning purposes. If fresh meats, seafoods or perishable products of any kind are sold, the necessary sinks shall be provided for the washing of all utensils and equipment used in the handling of such products. The water supply shall be from a safe and sanitary supply, approved by the State Board of Health.

21.025 All sewer connections and waste disposal facilities shall conform to the requirements of this Code.

21.026 Adequate toilet facilities for the use of employees shall be provided, on the premises or conveniently located, and shall conform to the sanitary requirements of the State Board of Health. Toilet rooms shall not open directly into any part of the market. Adequate handwashing facilities shall be provided, with individual or paper towels and liquid or powdered soap in dispensers. Towels used in common, or roller towels, are prohibited.

21.027 Counters, cases, shelves or table tops, on which food is placed for sale or display, shall be impervious to liquids, and must be kept clean. Knives or other utensils, and dishes, which come in contact with food for sale, must be kept clean.

21.028 Adequate refrigerators shall be provided for the storage of spoilable food stuffs in quantities ordinarily on hand. Milk, meat fish, seafood, or other readily perishable food products shall be kept at, or below, 50°F.

21.029 Raw and prepared foods shall be protected from contamination by dust, flies, vermin, or unnecessary contact. This shall mean that no milk shall be sold except in the original container, and that no foods shall be exposed on the street or sidewalk, except: (a) Those which have a rind or skin which is removed in the process of preparing for human consumption; (b) Those which are not injured by exposure to sun and drying.

21.0210 All storeroom surfaces and the interior of showcases, ice boxes and storage areas shall be kept clean.

21.0211 Markets shall be free from rats, mice, roaches and other vermin, and whenever there is evidence of infestation by such vermin, action necessary to effect their removal shall be taken.

21.0212 No part of the retail area of any market, nor any space opening directly into such area, shall be used for sleeping or domestic purposes.

21.0213 Garbage and other putrescible wastes shall be stored in watertight, covered, metal containers, and such refuse shall be dis-



posed of in such a manner as to prevent the creation of a nuisance and as often as necessary and in such a manner as to prevent it serving as an attraction to, or a breeding place for, flies or other vermin.

21.0214 The establishment shall be free of unnecessary litter and rubbish, such as paper, empty containers or other material that might serve as a hiding place for rats or other vermin.

21.0215 No spoiled foods or spoiled canned goods shall be exposed or offered for sale in any market; nor shall any food product showing evidence of having been infested by weevils, roaches, rats or other vermin, be offered for sale. Such material shall be destroyed or treated in such a manner as to render it unfit for human consumption; provided, that such material shall be considered satisfactory for feeding to hogs or other animals.

21.0216 All markets dealing in eggs, or buying eggs from persons other than a qualified dealer, must have a permit for handling eggs, in compliance with Chapter III of this Code.

21.03 No person, firm or corporation shall expose for sale on any public highway, or in any unenclosed market, store shop, stand, or stall, or in any open lot or transport over any public highway to any place for sale there or elsewhere in the State of Louisiana, any meat, fish, plucked poultry or game bird, dressed rabbit or squirrel, butter, oleomargarine, lard, lard compound or substitute, cheese, candy, cake, bread, dates, figs, or any food whatever of a kind not commonly washed, peeled, shelled or cooked before eaten, unless the same be effectually wrapped in a cleanly manner, or covered and enclosed so as to protect it from dust and insects.

21.04 No retail market shall expose or offer for sale, in bulk, except in a covered case, any food product ordinarily consumed without washing, peeling, cooking or otherwise treating it to prepare it for consumption. Bulk display of such products may be made when they are properly wrapped or packaged in wax paper, cellophane, or other similar type wrapping, whereby the products are protected from contamination through handling or by contact with dust, flies, roaches or other vermin.

21.05 No person shall operate a market, or shall engage in the sale of any food product as a vendor, without first having received a permit from the local health officer or parish health unit director.

21.051 The permit shall be issued upon written application, and shall be in the name of the person operating the market or indicated as a vendor, and shall not be transferable.

21.052 The permit may be revoked if the provisions of this Code are not satisfactorily complied with and the establishment is found operating under insanitary conditions whereby food products being distributed or sold are liable to contamination.

21.053 After a permit has been revoked, the operator or vendor may apply for its reinstatement; and, upon satisfactory evidence that the conditions causing its revocation have been corrected, the health

officer having jurisdiction may reissue the permit. The operator of any market or any vendor selling food stuffs without a permit does so in violation of the provisions of this Code, and is subject to such penalties as are provided by law.

21.06 Any meat, fowl, fish, fruit or vegetable found by any inspector or agent of the local, parish or state health department, in a condition which is unwholesome or unfit for use as a human food, shall not be sold or offered for sale, and the owner or person in charge of the place of business shall remove, or cause to be removed, said unwholesome or unfit food to such place as the health officer or inspector shall designate, to be destroyed or to be held pending further investigation. If further investigation proves that the material is unfit for human consumption, said material shall be destroyed or, if suitable for conversion to feed for hogs or other animals, permission may be given for its disposal in such a manner.

21.061 Should any portion of the goods placed under seizure be salvageable, such salvaging may be carried on as provided for in Section 17 of Act 142 of 1936, as amended by Act 185 of 1942.

21.07 Every meat market, fish stall, or grocery store dealing in meats, fish, seafood, or food products readily subject to contamination, shall be completely screened at doors, windows and other openings. Screen doors shall be self-closing, and must open outward.

21.08 All bulk goods in sacks or boxes, such as flour, sugar, salt, cornmeal or other similar products, shall not be stored directly on the floor, but shall be placed on racks so that they are held at least six inches (6") above the floor. All flour, cornmeal, or similar products, subject to infestation by weevils shall be stored in a separate room of tight construction so that such materials are protected from such infestation. All infested stocks shall not be sold or offered for sale, and shall be immediately removed from such protected areas and converted to hog or other animal food.

## CHAPTER XXII

# BARBER SHOPS, HAIR DRESSING ESTABLISHMENTS, BEAUTY PARLORS

22.01 These regulations shall apply to all barber shops, hair dressing establishments and beauty parlors, and the aforementioned terms shall include all premises, or portions thereof, wherein the business of shaving, clipping, cutting, trimming, singeing, shampooing, dyeing, tinting, massaging, manicuring, dressing, adorning or beautifying the human hair, face, scalp, or hands is conducted or taught.

22.02 All such establishments shall be well lighted and heated, and properly ventilated.

22.03 A shop in a residence building must be separated from rooms used for other purposes by a partition extending to the ceiling.

22.04 The person in charge of any such establishment shall keep the establishment and the furniture, tools and equipment used therein in a clean and sanitary condition at all times.

22.05 A lavatory with hot and cold running water and liquid or powdered soap in a container must be provided. The use of soap in common, or for more than one person, in such establishments is prohibited.

22.06 Every operator shall cleanse his or her hands thoroughly with soap and water immediately before serving each customer.

22.07 No person who has any infectious disease in a communicable stage, or who has any communicable affection of the skin, shall work or be permitted to work in any such establishment.

22.08 A customer with an eruption or sore that is suspected of being due to a communicable disease shall not be served in any such establishment.

22.09 No operator shall undertake to treat any disease of the skin.

22.10 Hair brushes and combs and hair dusters shall be kept clean at all times.

22.11 The use of a powder puff, sponge or neck duster in common, or for more than one person, is prohibited.

22.12 Shaving mugs and finger bowls shall be thoroughly rinsed with hot water after each use thereof.

22.13 Dipping of towels, shaving mugs or any other equipment or utensils into water containers is prohibited.

22.14 A separate clean towel shall be provided for each customer. Whenever a haircloth is used in cutting the hair, shampooing or any other treatment, a freshly laundered towel, or other protection, shall be placed around the neck of each individual treated so as to prevent the haircloth from touching the skin.

22.15 No person shall be allowed to use the head rest of any chair until the head rest has been covered with a clean towel, or with clean, new paper.

22.16 Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.

22.17 All hair brushes, combs, shaving brushes, tools and instruments, such as razors, tweezers, files, cuticle looseners, blackhead removers, contact cups or pads of vibrating massage machines, shears or other tools or instruments used in such establishments, shall be sterilized after each use and kept in a sanitary cabinet. All clippers, both hand and electric, must be sterilized. Approved methods of sterilization shall be immersion in boiling water for not less than five (5) minutes, or immersion for not less than ten (10) minutes in a disinfecting solution, such as a 5% aqueous solution of carbolic acid, 10% cresol, a 1-1000 dilution of mercury cyanide, or in alcohol of a strength not less than 65%. When a solution of carbolic acid, cresol or mercury cyanide is used for sterilizing, tools and instruments should be rinsed thoroughly in hot water before using.



22.18 All waste material must be deposited in covered receptacles and removed daily.

22.19 Candy, cigarettes, cigars or other similar items, when sold in such establishments, must be kept in an enclosed case or in a sealed package.

#### CHAPTER XXIII

### EXAMINATION AND QUARANTINE OF CHILDREN ADMITTED TO PUBLIC INSTITUTIONS: DESTITUTE OR VAGRANT CHILDREN, OR JUVENILE DELINQUENTS

23.01 Every institution in this state, incorporated for the express purpose of receiving or caring for orphans, vagrants or destitute children or juvenile delinquents, except hospitals, should have attached to its staff a physician of its own selection, duly licensed under the laws of the State of Louisiana, and in good professional standing.

23.02 No child shall be admitted to contact with the other inmates of such institution unless he has been given a complete physical examination and has been shown to be free from communicable disease. This examination shall be made by a duly licensed physician within fifteen (15) days before his admission to an institution, or by the institution physician as soon as possible after his admission. In the latter case, he shall be isolated within the institution until the examination is made.

23.03 Should communicable disease be found to exist, the child shall be kept in strict isolation until there is no longer any danger of the disease spreading to other inmates.

23.04 The physical and mental condition of the child, the presence of any indication of hereditary or other constitutional disease, and of any deformity or abnormal condition found upon examination to exist, shall be entered by the institution physician on the medical record of the child.

23.05 The institution physician shall make periodic physical examinations of all children and employees in the institution to determine their physical condition and the existence of communicable disease. In addition, a daily inspection of each child shall be made, if there is any suspicion of an acute infection—or of any communicable disease. Children with suspicious symptoms shall be isolated at once.

23.06 A thorough physical examination of each new employee or staff member shall be required before employment, and any person found to be a carrier of typhoid fever or dysentery, or of virulent diphtheria bacilli, shall be excluded from employment or residence in the institution. Any employee or staff member found to be suffering from a communicable disease shall be isolated at once and the disease promptly reported to the health authorities.

23.07 When notified by the State Board of Health of a report of the existence of anything in an institution dangerous to life or health, or of a complaint against the management, local health officers shall make an immediate investigation; and, if the report or complaint is proven to be well founded, shall cause the evil to be remedied without delay.

23.08 The beds in every dormitory of such an institution shall be separated by a passageway of not less than two (2') feet in width, and so arranged that the air shall freely circulate under each; and there shall be adequate ventilation of each bed. The dormitory shall be furnished with such means of ventilation as prescribed in this Code, or as may be requisite in the opinion of the State Board of Health.

23.09 In every dormitory six hundred (600) cubic feet of air space shall be provided for each bed or occupant, and no more beds or occupants shall be permitted than are thus provided for unless free and adequate means of ventilation approved by the State Board of Health exist and a special permit in writing therefor is granted by such Board, specifying the number of beds or cubic air space which shall be allowed. This permit shall be kept conspicuously posted.

#### CHAPTER XXIV

### REGULATIONS GOVERNING THE BURIAL, TRANSPORTATION, DISINTERMENT OR OTHER DISPOSITION OF DEAD HUMAN BODIES

24.01 The body of any person whose death occurs in this State, or any dead human body which shall be found therein, shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or be removed outside the parish in which the death occurs or in which the body is found, or be held pending further disposition for more than seventy-two (72) hours after death, unless a burial-transit permit (as hereinafter provided for) shall have been issued by the registrar of the registration district in which the death occurs or in which the body is found; provided, that no burial-transit permit shall be issued until a certificate of death, properly filled out as required by law, shall have been presented to and accepted by such registrar.

24.02 (a) There shall be provided by the State Board of Health a permit for the burial, cremation, entombing, removal, transportation by common carrier or other disposition of dead human bodies, which shall be known as the burial-transit permit, and no other permit shall be necessary for any of the above purposes.

(b) Said burial-transit permit shall consist of three sections and shall contain, when executed, the data herein provided for. The first section shall be executed by the registrar to whom the certificate of death is presented, and shall contain the following information: full name, color, age and sex of the deceased, the place of death, date of death and a space for a statement by the registrar that a certificate

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of death has been filed and that permission is granted a stated party to dispose of the corpse. The second section of the permit shall be filled out and signed by the funeral director or other person designated as custodian of the body, and shall contain a statement as to the method of embalming or preparation for final disposition and the date thereof. The third section shall be filled out and signed by the sexton or person in charge of burial or other final disposal, and shall contain a statement as to method of final disposal, date, and name and location of cemetery or crematory, and lot number if burial is in a cemetery.

(c) When dead bodies are shipped by common carrier., the burial-transit permit shall be attached to the shipping case in a strong envelope and shall accompany the remains to their destination.

(d) Within ten (10) days after burial, cremation or other disposal, the sexton of the cemetery, or other such person in charge of the disposal, shall execute the third section of the burial-transit permit, transcribe the data thereon to the records of the cemetery, and shall forward the permit to the registrar of the district where the burial or other such disposal occurred.

(e) The burial-transit permits of other states (including Provinces of Canada and the States of Mexico) shall be accepted as authorization for burial in the same manner as if the permit had been issued by a registrar of this State.

24.03 It shall be the duty of the local registrar to file and preserve the executed burial-transit permits which are returned to him by the sexton or other such persons, and to check the records of all cemeteries and crematories within his district to ensure that a permit has been deposited with the sexton for each burial or cremation.

24.04 (a) Embalming of dead human bodies shall be performed only by those persons licensed by the State Board of Embalming and Undertaking to practice embalming, or by such other agency authorized with such power in this or other states, and the practice of embalming shall be in accordance with the methods approved by such agencies.

(b) Any dead human body must be embalmed, cremated or buried within thirty (30) hours after death if the condition of the body permits.

24.05 The transportation of dead human bodies by a common carrier shall be conducted in such manner as not to be a menace to health, and shall conform to the following requirements:

(1) A burial-transit permit shall accompany the body in accordance with Article 24.02.

(2) The body must be placed in a coffin or casket which shall be enclosed in a strong outer box made of good sound lumber. All joints shall be securely put together and the box tightly closed. If the death resulted from smallpox, Asiatic cholera, louse-borne typhus fever, plague or yellow fever, and the body is not embalmed, it shall be placed in a hermetically sealed coffin or casket and encased in an outer box, as provided above.



(3) No section of this regulation shall be interpreted to prohibit the transportation of dead bodies without the use of an outer case or box as specified in (2) as above, in closed vehicles designed exclusively for the transportation of dead human bodies.

24.06 (a) It shall be unlawful for any person or corporation to bury any human body within the limits of an incorporated city or town, unless such burial be made in a duly authorized cemetery or burying place. Every burial ground or cemetery, or plot of ground set aside or devoted to cemetery or burial purposes, shall be placed in charge of a sexton, appointed or employed by the person, or persons, interested therein, or claiming ownership thereof, whose duty it shall be to comply with all the regulations and provisions of this Code, and the regulations which may otherwise be made by the Louisiana State Board of Health relative to cemeteries and burials; and until a sexton has thus been appointed or employed and has registered with the Parish Health Unit Director, or if there is no Parish Health Unit Director, with the local registrar, and with Parish Board of Health, in accordance with the provisions of the following paragraph, no burials or interments of dead human bodies in any cemetery, graveyard, or plot of ground set aside for burial purposes, shall be lawful or permissible.

(b) Every person who acts as a sexton or undertaker, or has charge or care of any vault, tomb, burying ground, cemetery or plot of ground set aside or devoted to cemetery or burial purposes, shall cause his or her name and residence, and the nature of his or her charge and duties, to be registered with the Parish Health Unit Director or, if there is no Parish Health Unit Director with the local registrar and with the Health Officer of the parish wherein such cemetery, graveyard or plot of ground is situated.

(c) Sextons must so conduct their calling as to prevent any unhygienic condition arising therefrom and so as to avoid any danger to public health. It shall be the duty of each of said sextons to take care that no damage is done to the tombs and fences to prevent cattle and beasts from going into said cemeteries, to transmit all burial-transit permits promptly to the local registrar, and to deliver, whenever required by the State, parish or municipal health authorities, records of burials as set forth on their books, and to deliver over to their successors said books.

(d) It shall be the duty of the sexton to provide for the identification of tombs, vaults or other sites of burial by appropriate markings, and to prepare and keep up to date a map or plat showing the location of each body buried within the cemetery or burying place.

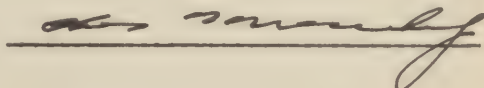
(e) No dead human body shall be disinterred, disentombed or otherwise removed from such place of deposit without the prior approval of the Parish Health Unit Director, Parish Health Officer, or other health official having supervision over the public health of the locality in which the body is buried.



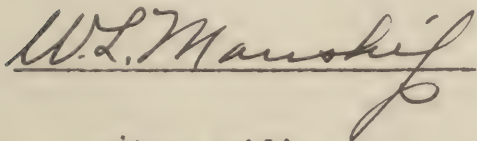
STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

Before me, the undersigned notary public, personally came and appeared Charles P. Manship, who on oath deposes and says that he is manager of the State Times, a daily newspaper published in the City of Baton Rouge, the official journal of the State of Louisiana, and that in said paper the Louisiana State Board of Health's Sanitary Code as revised in 1943 was promulgated, as required by law, in the issue of Sept. 28, 1943.

A handwritten signature in dark ink, appearing to read "C. P. Manship", is written over a horizontal line.

Sworn to and subscribed before me,  
this 23rd day of October, 1943.

A handwritten signature in dark ink, appearing to read "W. L. Manship", is written over a horizontal line.

Notary Public





## LEGAL REFERENCES

Article VI, Sections 11 and 12, Constitution of 1921

Articles 296 and 297, Constitution of 1898

Act 192 of 1898, Section 3

Act 98 of 1906

### 131 La. 145, 59 So. 44, State vs. Snyder

This Act (No. 98 of 1906) did not violate Article 33 of the Constitution of 1898. The General Assembly had the authority to confer upon the Louisiana State Board of Health the power to prepare and promulgate a Sanitary Code, and to make it a penal offense to violate its provisions.

Snyder was convicted of violating the Sanitary Code, and challenged "the constitutionality of said provision on the ground that the Legislature could not validly delegate to the State Board of Health the power to declare and provide what conduct shall constitute a crime, that the power by which conduct otherwise innocent is made criminal is legislative, and that legislative power for state purposes can be validly exercised only by the Legislature itself, and can not be constitutionally delegated to some subordinate functionary."

The Court in ruling on this point, stated: "The contention would be well founded if it were not for Article 296 of the Constitution, reading: 'The General Assembly shall create for the state, and for each parish and municipality therein, boards of health, and shall define their duties, and prescribe the powers thereof.' Here the Legislature is authorized to "prescribe the powers" of the Board of Health. This can only mean to delegate to the Board of Health such powers as may be deemed necessary for efficiently carrying out the purposes for which a board of health is created, and the power most obviously necessary in such a case is that to make health regulations that shall have the force of laws. And nothing more than this has been done in the present case."

### 132 La. 569, 61 So. 661, State vs. Susslin

"The matter of the public health is a matter which concerns the State at large, and has been properly left to the State Board of Health, with jurisdiction to adopt a Sanitary Code of rules and regulations having the force of laws throughout the commonwealth."

Bed clothing .....	Act 162 of 1918
Beverages, malt .....	Act 201 of 1924

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Bottles, used .....	Act 305 of 1940
Child welfare—Federal aid	
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Flour Brands .....	Act 152 of 1938
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Food, State Food, Drugs & Cosmetic Act .....	Act 142 of 1936
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Maternity welfare—Federal aid	
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State Board of Health made agency .....	Act 10 of 1936
Matches .....	Act 137 of 1912
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<b>Venereal diseases</b> .....	Act 161 of 1918
<b>Vital statistics</b>	
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Recordation of births and deaths required.....	Act 257 of 1918
Regarding adopted persons .....	Act 269 of 1940
As amended by .....	Act 343 of 1942
Foreign adoption act .....	Act 342 of 1942
Forms required by State Board of Health.....	Act 181 of 1942
<b>Water Closets, provision for women and children required</b>	Act 301 of 1908
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